

EXHIBIT 3

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv.Pro.No.
08-01789(SMB)

Plaintiff,

SIPA Liquidation

v.

(Substantially
Consolidated)

BERNARD L. MADOFF INVESTMENT
SECURITIES, LLC,

Defendant.

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In Re:

BERNARD L. MADOFF,

Debtor.

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Videotaped Deposition of WINIFER JACKSON,
as reported by Nancy C. Bendish, Certified Court
Reporter, RMR, CRR and Notary Public of the
States of New York and New Jersey, at the office
of BAKER HOSTETLER, 45 Rockefeller Plaza, New
York, New York, on Monday, May 23, 2016,
commencing at 10:30 a.m.

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<div>Page 3</div> <div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div> <div>INDEX</div> <div>WITNESSPAGE</div> <div>WINIFER JACKSON</div> <div>Examination by Ms. Vanderwal.....5,129 by Ms. Chaitman.....104</div> <div>EXHIBITS</div> <div>IDENT. DESCRIPTIONPAGE</div> <div>Trustee 50 House 17 Manual, Bates MADTSS01239682-797.....60</div> <div>Trustee 51 Copy of Check, Bates MADWAA00377277-78.....82</div> <div>Trustee 52 Account Statement, Bates MDPTPP05721154-55.....83</div> <div>(Previously marked Trustee Exhibits 22, 23, 24, 25, 27, 28, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 44, 46 and 49 were also referred to and are attached hereto.)</div>	<div>Page 5</div> <div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div> <div>EXAMINATION BY MS. VANDERWAL:</div> <div>Q. Good morning, Ms. Jackson.</div> <div>A. Good morning.</div> <div>Q. My name is Amy Vanderwal and I'm an attorney for the Trustee in the Liquidation of Bernard L. Madoff Investment Securities, LLC, and I'm here today with my colleague Stephanie Ackerman.</div> <div>As we just discussed, there's a Litigation Protective Order that governs this case. As I mentioned, the purpose is to protect the confidentiality of certain documents, and certain evidence in this case. I provided you a copy of this order before we began. Can you confirm that you signed the protective order?</div> <div>A. Yes, I did.</div> <div>Q. Thank you.</div> <div>There's a second order previously entered as Exhibit 21 that also limits this deposition in certain ways. I'll give it to you to flip through, but I can tell you that paragraph 3 of the order setting certain limitations on depositions taken on the profit withdrawal issue, which has ECF number 13358, requires me to instruct you that your testimony</div>

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<p>1 today should be limited to profit withdrawals 2 and issues related thereto that occurred in 3 accounts at Bernard L. Madoff Investment 4 Securities. Do you understand that? 5 A. Yes. 6 Q. Do you have any questions about 7 Exhibit 21? 8 A. No. 9 Q. I'll give you a few instructions 10 on how the deposition will work today. 11 A. Okay. 12 Q. Throughout the deposition I'm 13 going to be asking you questions about Bernard 14 L. Madoff Investment Securities. I'm going to 15 refer to that entity, for ease of reference, as 16 BLMIS. Okay? 17 A. Okay. 18 Q. The court reporter will be taking 19 down my questions and your answers, so all your 20 answers need to be audible. You can't nod or 21 shake your head for yes or no. Okay? 22 A. Okay. 23 Q. And to help the court reporter 24 accurately transcribe our conversation, it's 25 important that we don't talk over each other.</p>	<p>1 would be at trial? 2 A. Yes. 3 Q. Will you answer truthfully today? 4 A. Yes. 5 Q. And will you answer accurately 6 today? 7 A. Yes. 8 Q. Have you had your deposition taken 9 before? 10 A. Yes. 11 Q. When was that? 12 A. 2009. 13 Q. And what was the subject matter of 14 the deposition? 15 A. The whole BLMIS case. 16 Q. And did you give testimony related 17 to the BLMIS case? 18 A. Yes. 19 Q. And when was that? 20 A. During the court trial for some of 21 the employees in 2000 -- what is this -- 2014, 22 2015 I think it was. 23 Q. And other than that deposition in 24 2009 and the court testimony in 2014 or '15, 25 have you had your deposition taken before?</p>
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<p>1 So please let me finish my question before you 2 begin to answer it, and I will let you finish 3 your answer before I go on to the next question. 4 Okay? 5 A. Okay. 6 Q. And Ms. Chaitman may at some point 7 object to the form of one of my questions and 8 that objection will be noted for the record, but 9 you should still answer the question. Do you 10 understand? 11 A. Okay. 12 Q. You can take a break whenever you 13 need it. I would only ask that if I've asked 14 you a question, that you answer the question 15 before we take the break. 16 A. Okay. 17 Q. Are you taking any medication that 18 may impair your ability to answer questions 19 accurately today? 20 A. No. 21 Q. Are you taking any medication that 22 may affect your memory? 23 A. No. 24 Q. Do you understand that in this 25 deposition you're under oath the same as you</p>	<p>1 A. No. 2 Q. And have you testified before? 3 A. No. 4 Q. What is your educational history? 5 A. I'm about to graduate college this 6 week. 7 Q. Congratulations. 8 A. Thank you. 9 Q. And what will your degree be in? 10 A. Business management. 11 Q. Are you currently employed? 12 A. Yes. 13 Q. What position do you currently 14 hold? 15 A. Clerical. 16 Q. And where is that? 17 A. At Wyckoff Heights Medical Center. 18 Q. When did you begin working at 19 BLMIS? 20 A. 1986 I think it was. I think it 21 was 1986. 22 Q. When you first began what was your 23 title? 24 A. Clerical. I was administrative 25 assistant to Jodi and Annette doing clerical</p>

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<p>1 work.</p> <p>2 Q. When you say Jodi, do you mean</p> <p>3 Jodi Crupi?</p> <p>4 A. Jodi Crupi.</p> <p>5 Q. And Annette?</p> <p>6 A. Annette Bongiorno.</p> <p>7 Q. So what were your duties</p> <p>8 primarily, your clerical duties that you</p> <p>9 performed for Ms. Bongiorno and Ms. Crupi?</p> <p>10 A. I kept track of like paperwork</p> <p>11 that was sent out to clients, as far as like the</p> <p>12 trading and stuff that was done. I kept -- I</p> <p>13 was responsible for doing like -- receiving in</p> <p>14 checks for clients and stuff like that, that we</p> <p>15 would log into our checkbook.</p> <p>16 Q. Okay. And what street was the</p> <p>17 office on when you first started working at</p> <p>18 BLMIS?</p> <p>19 A. 53rd and Third.</p> <p>20 Q. And what floor did you work on</p> <p>21 when you first started?</p> <p>22 A. When I first started I worked on</p> <p>23 the 18th floor.</p> <p>24 Q. Did that change at some point?</p> <p>25 A. Yes.</p>	<p>1 Did your responsibilities change</p> <p>2 over the time you were at BLMIS?</p> <p>3 A. Yes. A little bit.</p> <p>4 Q. How so?</p> <p>5 A. I did a little bit more, more</p> <p>6 intensive clerical work. Like before it was</p> <p>7 just like very light clerical duties, but as I</p> <p>8 was there for a little bit longer I did a little</p> <p>9 bit more of the clerical, which meant that I</p> <p>10 dealt a little bit -- not dealt with customers,</p> <p>11 but dealt with Annette and Jodi and with the</p> <p>12 clerical paperwork, more of the clerical</p> <p>13 paperwork than before.</p> <p>14 Q. And when you say clerical</p> <p>15 paperwork, what do you mean by that?</p> <p>16 A. I dealt a little bit more with</p> <p>17 setting up the accounts, like whenever accounts</p> <p>18 came in there were certain paperwork that we had</p> <p>19 to initially set up, you know, as far as the</p> <p>20 files, internal work. Not dealing with the</p> <p>21 client, but dealing with the internal paperwork</p> <p>22 of how the paperwork was set up, in the folders,</p> <p>23 you know, in the accounts, and keeping account</p> <p>24 of account information, incoming and outgoing</p> <p>25 information to clients.</p>
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<p>1 Q. When was that?</p> <p>2 A. I don't remember the year that it</p> <p>3 changed.</p> <p>4 Q. Would it have been in the '80s or</p> <p>5 the '90s?</p> <p>6 A. The '90s, I think. I think it was</p> <p>7 in the '90s.</p> <p>8 Q. Do you think it was the early</p> <p>9 '90s?</p> <p>10 A. The early '90s, yes.</p> <p>11 Q. And when you moved to a different</p> <p>12 floor, what floor was that?</p> <p>13 A. The 17th floor.</p> <p>14 Q. Did the employees on the 17th</p> <p>15 floor work with BLMIS customer accounts?</p> <p>16 A. Yes.</p> <p>17 Q. So you mentioned that your</p> <p>18 responsibilities initially were more clerical in</p> <p>19 nature?</p> <p>20 A. Yes.</p> <p>21 Q. And that you assisted Ms. Crupi</p> <p>22 and Ms. Bongiorno essentially with account</p> <p>23 related paperwork?</p> <p>24 A. Yes.</p> <p>25 Q. Is that accurate?</p>	<p>1 Q. And I think you mentioned that you</p> <p>2 also assisted with something that you referred</p> <p>3 to as the checkbook?</p> <p>4 A. Yes.</p> <p>5 Q. What did that entail?</p> <p>6 A. I dealt with the checks that came</p> <p>7 in, I made sure that they were logged accurately</p> <p>8 into the checkbook, and then I would, if checks</p> <p>9 went out, I had to double-check to make sure</p> <p>10 that if they were -- how they were going out as</p> <p>11 far as like the mailing, as far as like if they</p> <p>12 were being picked up, if they were being</p> <p>13 hand-delivered, or if they were just being</p> <p>14 straight mailed.</p> <p>15 Q. Okay. We'll come back to the</p> <p>16 checks and the checkbooks in a second.</p> <p>17 Who were your supervisors when you</p> <p>18 were at BLMIS?</p> <p>19 A. Jodi and Annette. Joanne Crupi</p> <p>20 and Annette Bongiorno.</p> <p>21 Q. Did Ms. Crupi handle any accounts</p> <p>22 of her own that you assisted with?</p> <p>23 A. When I first started there, yes.</p> <p>24 She dealt with certain accounts, yeah.</p> <p>25 Q. Did that stop at some point?</p>

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<p>1 A. Yeah, that changed at one point, 2 those accounts were pretty much phased out and 3 moved over to a different account manager. 4 Q. Do you know who that different 5 account manager was? 6 A. Frank DiPascali. 7 Q. And was there a particular type of 8 account that Ms. Crupi managed? 9 A. Yes. I just can't remember the 10 exact name of it right this second, but yes. 11 Q. Did you recall that accounts had 12 sort of sub-accounts that had different numbers 13 associated with them? 14 A. Be a little clearer; what do you 15 mean? 16 Q. Was it your recollection that you 17 would have a customer account and the account 18 number would end in a dash 1, dash 2, dash 3, 19 dash 4? 20 A. Right, yes. 21 Q. And did those indicate different 22 type of sub-accounts? 23 A. Yes. 24 Q. Do you recall particularly which 25 number indicated which type of account?</p>	<p>1 did that day. 2 So we would give her certain 3 information like that. 4 Q. Okay. So were you researching 5 sort of the volume that was traded on certain 6 days? 7 A. Yes. 8 Q. And the information that you 9 looked up on Bloomberg was the pricing for 10 particular stock? 11 A. Yes. 12 Q. And Annette would direct you which 13 stocks to look up the pricing for? 14 A. Yes. 15 Q. And to your knowledge were the 16 stocks that you researched actually purchased by 17 BLMIS? 18 A. I don't know. I mean, to my 19 knowledge they were. 20 Q. That was an assumption that you 21 had at the time? 22 A. That was the assumption that we 23 had at the time, yes. 24 Q. Did you which actually purchase 25 any stocks for customers?</p>
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<p>1 A. Yes. Frank's accounts were the 3 2 or 4 accounts, Annette's accounts were 3 and 7-0 3 accounts. And I think the -- some that ended in 4 5-0 were, I want to think those were Annette's. 5 I kind of forgot a lot of it, but... 6 Q. Thank you. 7 So Annette Bongiorno was your 8 other supervisor? 9 A. Yes. 10 Q. And what did your work with 11 Annette Bongiorno entail? 12 A. With Annette -- did a lot of stuff 13 with her. With Annette I dealt with her 14 particular type of accounts. She may ask us to 15 look up certain information from the Bloomberg 16 to provide her information on the trading data 17 that went on for particular days for her 18 accounts and we would give her that information. 19 She may ask us to -- she would 20 give us certain types of accounts and she would 21 say that we had to -- I can't quite remember 22 how -- the wording that she would use, but we 23 would have to break it down like how much could 24 be bought on certain days based on the trading 25 market, based on what the trading, the market</p>	<p>1 A. No. 2 Q. Were you aware of anyone working 3 for Annette actually purchasing stocks for 4 customers? 5 A. I mean, only thing I know is that 6 we would just look up the information, give it 7 to them. I didn't know what went on after that. 8 Q. I understand. 9 Did you ever sell any stocks for 10 customers? 11 A. No. 12 Q. Were you aware of anyone who 13 worked with Annette actually selling any stocks? 14 A. Like I said, once we did the 15 paperwork, we don't know what was bought or 16 sold. 17 Q. Okay. So you researched the 18 stocks and you provided that information to Ms. 19 Bongiorno? 20 A. Right. 21 Q. And were there any other tasks 22 that you performed for Ms. Bongiorno? 23 A. Just like I said, clerical task, 24 receiving phone calls. She would ask us to, you 25 know, write up a notation or something or look</p>

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<p>1 up something, information or contact, you know, 2 certain people for her. But nothing other than 3 that. 4 Q. Okay. Other than Ms. Bongiorno 5 and Ms. Crupi, did you have any other 6 supervisors? 7 A. No. I worked directly with them. 8 Q. Did you supervise anyone at BLMIS? 9 A. No, not really. 10 Q. Who did you work with on a regular 11 basis besides Ms. Bongiorno and Ms. Crupi? 12 A. I worked with Darlene Conception. 13 I worked with Simone Anderson, Alethea, Dorothy. 14 Q. What was Alethea's last name? 15 A. Alethea Mui and Dorothy Kahn. And 16 then I worked with the filing staff. 17 Q. I'm sorry -- 18 A. The file room staff. 19 Q. File room staff. And do you 20 recall any of those people's names? 21 A. Sharda Prasaud, I think that's her 22 last name. Sean Wharton. Who else was there? 23 Damian, I don't remember Damian's last name. 24 But that constantly changed. 25 Q. The file room staff constantly</p>	<p>1 A. He would come down when he was in 2 the office. He would come down periodically. 3 Not every day, but he would come down. 4 Q. Would you say once a week? 5 A. Maybe once every two, three weeks. 6 Q. And did Bernard Madoff supervise 7 your work? 8 A. Not directly. 9 Q. Did Bernard Madoff review checks 10 before they were sent out to customers, to your 11 knowledge? 12 A. Not to my knowledge, they wouldn't 13 supervise checks. 14 Q. And when did you stop working at 15 BLMIS? 16 A. In 2009. Everything happened in 17 2008, but 2009, March 2009 I was officially 18 terminated. 19 Q. Thank you. 20 BLMIS customers were able to 21 withdraw money from their account; is that 22 correct? 23 A. Yes. 24 Q. And BLMIS sent checks to customers 25 to accomplish that?</p>
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<p>1 changed? 2 A. Yeah. Yeah. 3 Q. What did Darlene Conception do at 4 BLMIS? 5 A. She was more of a receptionist to 6 Annette. 7 Q. To Annette? 8 A. Um-hum. 9 Q. What did Simone Anderson do? 10 A. Simone and I pretty much held kind 11 of like the same position with Annette. We 12 would assist her. 13 Q. Did Simone Anderson also assist 14 Ms. Crupi? 15 A. Yes, she did. 16 Q. What did she do? 17 A. Pretty much the same thing, 18 administrative, clerical. 19 Q. And Alethea Mui? 20 A. She was computer staff. 21 Q. And Ms. Dorothy Kahn? 22 A. Computer staff. 23 Q. How often did you see Bernard 24 Madoff on the 17th floor when he moved to the 25 17th floor?</p>	<p>1 A. Yes. 2 Q. And these checks consisted of 3 amounts that were withdrawn from the customers' 4 BLMIS account; is that correct? 5 A. Explain that again. 6 Q. The checks would be made up of 7 funds withdrawn from the customers' account; is 8 that correct? 9 A. Yes. 10 Q. Did customers receive checks for 11 profits that were purportedly generated in their 12 account? 13 A. Yes. 14 Q. Were employees on the 17th floor 15 responsible for sending those checks to BLMIS 16 customers? 17 A. Yes. 18 Q. Were you specifically responsible 19 for generating checks? 20 A. I was responsible for when those 21 checks came out. I would always double-check 22 them against a run that we had to make sure 23 of -- if they were being mailed, if they were 24 being hand-delivered or if they were being 25 express mailed.</p>

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<p>1 Q. Who would you receive the checks 2 from? 3 A. The computer staff would leave 4 them for me the night before. 5 Q. So that's Ms. Mui and Ms. Kahn? 6 A. Right. 7 Q. Would leave you the checks the 8 night before? 9 A. Right. 10 Q. And would you review what was 11 printed on the check? 12 A. Not necessarily what was printed, 13 as far as the amount, but I would review -- I 14 would write the check -- the check numbers had 15 to be logged onto the computer printout, the 16 check number itself, and once again we would 17 review who was receiving them hand-delivered, 18 mailed or if they were being picked up. 19 Q. When you say computer printout, 20 what do you mean by that? 21 A. The computer printout, based on 22 however -- based on the checks that are being 23 sent out, there was a printout that was 24 generated that would give you that exact same 25 information. It would give you their account</p>	<p>1 accounts. 2 So that information was already 3 input into the system like from the very 4 beginning from when the account was set up. 5 Q. So what did you understand a 6 profit withdrawal account to be? 7 A. I understood it that the accounts 8 were run at a certain percentage and that there 9 would be a certain amount that the customer 10 would receive based on the interest that was 11 earned on the account. 12 Q. And the interest that was earned, 13 would that be the profit component? 14 A. The profit component, yeah. 15 Q. And if someone elected to set up 16 their account as a profit withdrawal account, 17 what would that mean? 18 A. That means that whatever the 19 interest was on that account, instead of it 20 being reinvested back into the account, they 21 would prefer that that interest come directly to 22 the customer. 23 Q. And they would receive a check? 24 A. Yes. 25 Q. For the amount of their profit</p>
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<p>1 number, the amount of the check and the name 2 that's on the check. 3 Q. Okay. 4 A. It would be a comparison of the 5 two. 6 Q. And you would go and you would 7 write in the check number? 8 A. Yeah, we would physically write 9 the check number on the log just to keep up with 10 the checks. 11 Q. Do you remember what that log was 12 called? Did it have a name, or how did you 13 refer to it? 14 A. Check log. 15 Q. Who was responsible for 16 instructing the computer staff to print the 17 check? 18 A. That would basically come from 19 Frank or Jodi, and in some cases Annette. 20 Q. And how was the computer staff 21 instructed to produce a check? 22 A. I guess based on the information 23 that was generated when accounts were initially 24 set up. If they were gonna be profit withdrawal 25 accounts or if they were gonna be reinvestment</p>	<p>1 from their account? 2 A. Yes. 3 Q. And who would that check be made 4 out to? 5 A. The customer. 6 Q. Could customers receive checks as 7 a standing monthly withdrawal? 8 A. Yes. 9 Q. And how would a request for a 10 standing monthly withdrawal be made? 11 A. Once again, that would be set up 12 when the customers -- when the account is set up 13 or even after the account is set up, if they 14 choose to take out a certain amount of money per 15 month, they would negotiate that with Frank or 16 one of the account managers, that they wanted a 17 certain amount of money withdrawn every month, 18 and that would basically be set up into the 19 computer database system, that that's on a 20 monthly basis this is the amount that they would 21 receive. 22 Q. Okay. And would those requests be 23 made verbally or in writing? 24 A. If I'm correct, most of those came 25 through in writing. I mean, they may have</p>

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<p>1 verbally spoken to some people, but we usually 2 saw it in writing. 3 Q. And if they wanted to have 4 quarterly withdrawals, would a similar process 5 be followed? 6 A. Yes, it would have to be. It 7 would be in writing. 8 Q. And so you said that customers 9 received checks who have profit withdrawal 10 accounts. Would they have to request a profit 11 check each time they received one? 12 A. No. It would be set up in 13 their -- that would be set up in the computer 14 system, and if they didn't want a profit check, 15 then they would have to once again send a letter 16 in to say, I don't want this, but it would have 17 to be set up in the system. 18 Q. When you saw the checks after they 19 were printed by the computer staff, was there 20 any difference on the face of the check between 21 a profit withdrawal check and a quarterly 22 withdrawal check? 23 A. No, not to my recollection. 24 Q. Did you ever see a check that 25 related to a customer account that was made out</p>	<p>1 different -- like they may have a different sub- 2 address. Like there may be a different mailing 3 label to the account itself. Like the account 4 may read 45 Rockefeller Plaza but the customer 5 wanted it mailed to their house, as an example. 6 So it may be mailed a little differently, if 7 there was a mailing label. 8 Q. And how would that request be 9 communicated to BLMIS? 10 A. In writing. 11 Q. So you mentioned that there was a 12 check log that you used when the checks had been 13 printed and before they were sent out. Was 14 there any other method by which checks were 15 tracked at BLMIS? 16 A. No. We would always get the check 17 log. 18 Q. And the check log was generated by 19 the computer? 20 A. Right. Once the checks were in 21 the system, yeah, it would be generated with the 22 computer. 23 Q. And the entire time you were 24 employed at BLMIS, that was the method for 25 tracking checks?</p>
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<p>1 to someone other than the customer? 2 A. I don't recall. I don't recall 3 seeing that. 4 Q. Who were the checks mailed to or 5 FedEx'd to or picked up by? 6 A. If they were mailed, they were 7 mailed to whatever the account information was 8 on file that was in the system. That's their 9 base address. 10 If they were picked up, they could 11 have been picked up by a messenger, they could 12 have been picked up by the customer. You know, 13 whoever wanted the checks to be picked up. 14 Q. Who generated the mailing labels 15 for the checks? 16 A. They came out with the -- when the 17 checks were printed, they would come out with 18 the checks. 19 Q. So that would be Ms. Kahn and Ms. 20 Mui were also responsible for printing the 21 labels? 22 A. Yes. 23 Q. And did the labels match the 24 customer name from the customer statements? 25 A. Sometimes they would have a</p>	<p>1 A. Yes. 2 Q. What would you do with the check 3 log once you had written the check numbers on 4 it? 5 A. We had a binder that we kept them 6 in and we would input them on a daily basis and 7 they would be hung up in the file room. 8 Q. In the file room. Did that binder 9 that the check logs were placed in have a name? 10 A. Repeat yourself, I'm sorry. 11 Q. Did the binder that the check logs 12 were placed in have a name? 13 A. Check log. Or it would say like 14 quarterly -- it would just say quarterly or it 15 may say profit, but it would say check log. But 16 we would know that it was a regular check log. 17 Q. Okay. Did the check log identify 18 the type of check? Would it reference if it was 19 a capital withdrawal -- 20 A. Yes. 21 Q. -- or a profit withdrawal? 22 A. Yes. 23 Q. So if you can recall, let's try to 24 sort of reconstruct the columns that were listed 25 on the check log. There would be an account</p>

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<p>1 number?</p> <p>2 A. Um-hum.</p> <p>3 Q. What else would be there?</p> <p>4 A. It would be the account number, it</p> <p>5 would be the customer's name, it would be the</p> <p>6 amount of the check, and it would also indicate</p> <p>7 capital withdrawal or profit withdrawal. I</p> <p>8 can't remember -- I can't remember anything else</p> <p>9 that was printed on that.</p> <p>10 Q. Okay. And that was the only</p> <p>11 report that was used to see which customer</p> <p>12 received which check?</p> <p>13 A. That I can remember at this point.</p> <p>14 Q. I'd like to show you a document</p> <p>15 that was previously marked as Trustee Exhibit</p> <p>16 22. Take a look at that and I'll have a couple</p> <p>17 questions.</p> <p>18 MS. VANDERWAL: Helen, do you have</p> <p>19 a copy?</p> <p>20 MS. CHAITMAN: I do.</p> <p>21 You know, if you have an extra</p> <p>22 one, I'll give it to Rick Kirby.</p> <p>23 BY MS. VANDERWAL:</p> <p>24 Q. I'd like to represent to you that</p> <p>25 this is a subset of a larger document, a</p>	<p>1 just indicate which writing you believe to be</p> <p>2 Jodi Crupi's.</p> <p>3 A. The bottom looks more like Jodi.</p> <p>4 Q. So the witness is indicating the</p> <p>5 bottom two rows on page 1651 that begin with</p> <p>6 C & M 7; is that correct?</p> <p>7 A. Yeah, that looks like Jodi's</p> <p>8 handwriting.</p> <p>9 Q. Do you recognize the information</p> <p>10 that's on this page 1651?</p> <p>11 A. Yes.</p> <p>12 Q. And what would the first column</p> <p>13 represent?</p> <p>14 A. The customer's name.</p> <p>15 Q. And the second column?</p> <p>16 A. It looks like account numbers.</p> <p>17 Q. And the next column?</p> <p>18 A. Whether they were profit</p> <p>19 withdrawals or capital withdrawals.</p> <p>20 Q. So the "PW" stands for?</p> <p>21 A. Profit withdrawal.</p> <p>22 Q. And "CW"?</p> <p>23 A. Is capital withdrawal.</p> <p>24 Q. And the following column?</p> <p>25 A. Is the amount of money.</p>
Page 31	Page 33
<p>1 3,000-page document.</p> <p>2 A. Okay.</p> <p>3 Q. And I've selected certain pages</p> <p>4 I'd like to talk to you about, so it's not in</p> <p>5 consecutive order.</p> <p>6 Do you recognize this document?</p> <p>7 A. No.</p> <p>8 Q. Do you recognize -- if we turn to</p> <p>9 page that ends in Bates number 1651.</p> <p>10 A. Um-hum.</p> <p>11 Q. Do you have that page?</p> <p>12 A. Um-hum.</p> <p>13 Q. Do you recognize the handwriting</p> <p>14 on that page?</p> <p>15 A. I recognize the handwriting, yes.</p> <p>16 Q. Whose handwriting is that?</p> <p>17 A. This is Jodi Crupi's handwriting.</p> <p>18 Q. And how do you recognize her</p> <p>19 handwriting? Is that through your work with her</p> <p>20 at BLMIS?</p> <p>21 A. Yes. That looks like Jodi's</p> <p>22 handwriting. Some of it is not all -- all of it</p> <p>23 is not Jodi's handwriting, but some of it looks</p> <p>24 like Jodi's handwriting.</p> <p>25 Q. Okay. For the record, could you</p>	<p>1 Q. And the final column?</p> <p>2 A. I don't know what that is. The</p> <p>3 last two looks like customers' names. The last</p> <p>4 two look like customers' names. I don't know</p> <p>5 what the other ones.</p> <p>6 Q. All right. If I represented to</p> <p>7 you that Health South was the name of a stock,</p> <p>8 would that make sense to you?</p> <p>9 A. I don't know. I don't recognize</p> <p>10 that.</p> <p>11 Q. Okay, that's fine. Let me ask you</p> <p>12 about one more page. Could you please turn to</p> <p>13 1655.</p> <p>14 A. Okay.</p> <p>15 Q. Do you recognize the handwriting</p> <p>16 on this page?</p> <p>17 A. It looks like Erin Reardon. I'm</p> <p>18 not 100 percent sure, but it looks like Erin</p> <p>19 Reardon.</p> <p>20 Q. Are you familiar with the</p> <p>21 information that's contained on this page?</p> <p>22 A. Once again, it looks like account</p> <p>23 numbers, the profit amount and it looks like the</p> <p>24 customer's name and across the top, Liberty</p> <p>25 National Bancorp. That is possible. I'm not</p>

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<p>1 sure exactly what that is, Liberty National 2 Bancorp, I'm not 100 percent sure what that is. 3 Q. So you never saw this binder -- 4 A. No. 5 Q. -- in the course of your time at 6 BLMIS? Okay. 7 A. No. 8 Q. Thank you. You can set that 9 aside. 10 Can you tell me once again what 11 you understand the term "profit withdrawal" to 12 mean? 13 A. That the profit that was earned on 14 the account based on the interest that was 15 earned. 16 Q. And how do you know what it means? 17 A. Just by listening to terminology 18 that was explained in the office, that that's... 19 Q. And is it your understanding that 20 when an account was opened someone decided that 21 the account would receive profit withdrawals? 22 A. That that was decided between the 23 customer and whoever they dealt with, the 24 account representative they dealt with. 25 Q. When you say account</p>	<p>1 investment of the customer. And we would 2 create, like I said, we would create the files 3 based on the account number and under who they 4 came with, what group that they came through. 5 Q. What do you mean by what group 6 they came through? 7 A. Like say, for instance, if it was 8 under the Cohn group, so we know that it would 9 go into the CM. If it was under a certain 10 group, we know what account, how to set the 11 account up, like with the title, with the 12 account number. 13 Q. Okay. So there was a folder 14 created for each account? 15 A. Right. 16 Q. And who created the folders and 17 the initial contents? 18 A. That depends. In the beginning it 19 used to be myself, it used to be Jodi or Annette 20 would give the information, and we would set the 21 account up and then the folder would be created. 22 And then later on it became more so Darlene's 23 responsibility. 24 Q. And where were the folders kept? 25 A. We had file cabinets.</p>
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<p>1 representative, who are you referring to? 2 A. That could be Jodi, Annette, 3 Frank; it could even be Bernie. 4 Q. So Jodi Crupi, Annette Bongiorno, 5 Frank DiPascali or Bernard Madoff? 6 A. Yes. 7 Q. Did you understand that BLMIS 8 purported to use different kinds of trading 9 strategies? 10 A. No. 11 Q. Were you familiar with the process 12 of opening an account at BLMIS? 13 A. When you say process, what do you 14 mean? 15 Q. Well, who was responsible for 16 opening an account at BLMIS? 17 A. Yes. That would be, once again, 18 Jodi, Frank, Annette. 19 Q. And what paperwork was generated 20 when an account was opened? 21 A. They would get a form that would 22 be filled out basically name, address, phone 23 number. Personal information, I guess business 24 information, and then we would open up -- they 25 would input the information based on the initial</p>	<p>1 Q. And where were the file cabinets? 2 A. The file cabinets were in front of 3 Annette's office. There was a row of file 4 cabinets in front of her. There was a row of 5 file cabinets on the outside in the walkway. 6 That's usually where all the customer account 7 folders were. 8 Q. And how frequently would those 9 folders be accessed, generally? 10 A. We could access them on a daily 11 basis. Depends on the information -- if a 12 customer sent in a letter, if there was 13 information that was sent to us, we would have 14 to input that information in the file. 15 Q. So if a customer sent a letter, 16 who would deal with that communication, 17 generally? 18 A. That would either be, once again, 19 Jodi, Frank or Annette, and then they would give 20 us the, you know, the information if it was to 21 go into one of the customer folders. 22 Q. And you would do the filing? 23 A. Sometimes. But Darlene did the 24 bulk of it. At one point in time I did most of 25 it, but then Darlene would do more.</p>

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<p>1 Q. Did you speak with customers on 2 the phone? 3 A. Periodically. 4 Q. What would those conversations 5 entail? 6 A. Sometimes a customer would just 7 call at random. If Jodi or Annette weren't 8 available, they would want to find out if a 9 check was sent out to them or if they could fax 10 over a request for a certain amount of money. 11 Sometimes they would call to find out if the 12 statements were -- you know, just general 13 information. 14 Q. Okay. So that you said that the 15 customer files would be placed in folders? 16 A. Um-hum. 17 Q. Do you recall any writing on the 18 outside of the folders? 19 A. It would just have the account 20 numbers on the folders. 21 Q. Okay. No other notations? 22 A. I don't recall any other 23 notations, but I know we would keep them in -- 24 they would be in, like I said, in group order 25 like if it was a CM account, whatever the</p>	<p>1 kind of have an idea if they were accounts that 2 were profit accounts, profit withdrawal 3 accounts. 4 Q. So that information would be 5 inputted into the computer database? 6 A. Right. 7 Q. And who would be responsible for 8 doing that? 9 A. Once again, the account 10 representatives. 11 Q. They would enter the information 12 into the computer base? 13 A. They would give the information 14 to -- 15 Q. Ms. Mui and Ms. Kahn? 16 A. Yeah, Alethea or Dorothy. 17 I'm not 100 percent sure if Frank 18 or Jodi had access to inputting that 19 information. 20 Q. Did you have access to the 21 computer system? 22 A. Yes. 23 Q. Do you recall the name of the 24 computer system? 25 A. House 17, House 09 -- I mean, it</p>
Page 39	Page 41
<p>1 account, whatever group it was. And we would 2 keep the account numbers. I don't recall 3 like -- it depends. Because some, you know, I 4 don't recall any extra information. 5 Q. From your work at BLMIS, are you 6 familiar with the term "send" or "reinvest"? 7 A. Yes. 8 Q. And what does send mean? 9 A. Send would mean they wanted their 10 profits sent to them. 11 Q. So similar to what you were 12 referring earlier? 13 A. Right. 14 Q. Profit withdrawal accounts would 15 be the same as a send account? 16 A. Right. 17 Q. And what does reinvest mean? 18 A. Whatever the profits was they 19 wanted it reinvested back into the account. 20 Q. And do you recall where BLMIS 21 would record, if an account is a send account or 22 a reinvest account; where would that be noted? 23 A. Once again, that would be when an 24 account was set up and the information would be 25 input into the computer database so we would</p>	<p>1 was -- well, that was the computer system that 2 they did like the internal database system. I 3 didn't work on that. I just had my regular 4 computer that I could see customer accounts 5 through. 6 Q. I see. 7 A. Right. 8 Q. So the computer that Ms. Mui and 9 Ms. Kahn used, you did not -- 10 A. No, I didn't access that. 11 Q. You had your own computer through 12 which you could access what? 13 A. Yes. Like I could go into 14 customer accounts through that computer system. 15 Q. And would you be able to make 16 changes to customer accounts? 17 A. No, I didn't make changes to 18 customer accounts. 19 Q. So you would be able to review 20 customer accounts? 21 A. Yes. 22 Q. And for what purpose would you do 23 that? 24 A. If I was looking up information to 25 see if they sent in a check or if a check was</p>

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<p>1 sent to them, look and see if, for trade 2 information that may have went through in their 3 account to see if there was a profit or loss -- 4 I mean, not a profit or loss. What do you call 5 it, the types of trades that was actually in 6 their account. So I would be able to see it. 7 Q. Okay. And what do you mean by 8 types of trades? 9 A. I mean like the stock. 10 Q. The particular stock involved? 11 A. The particular stock involved, 12 yeah. 13 Q. And when you accessed the account 14 in the computer system, would you also be able 15 to see if it was a send account or a reinvest 16 account? 17 A. I'm not 100 percent sure if I saw 18 all of that information or not. 19 Q. Okay. Could a customer change his 20 or her account from a send account to a reinvest 21 account? 22 A. Yes. 23 Q. How would they do so? 24 A. They would contact Jodi, Frank or 25 Annette, once again, through letter, email --</p>	<p>1 customer? 2 A. No. 3 Q. If an account was marked "send," 4 did that customer receive their profits by 5 check? 6 A. By check or it's possible by wire. 7 Wire transaction. 8 THE WITNESS: I'm sorry to stop 9 you, but can I please go to the ladies room? 10 MS. VANDERWAL: Oh, of course. Go 11 off the record a minute. 12 THE VIDEOGRAPHER: Time is 11:10 13 a.m., off the record. 14 (Recess taken.) 15 THE VIDEOGRAPHER: Time is 11:20 16 a.m., back on the record. 17 BY MS. VANDERWAL: 18 Q. Ms. Jackson, if an account was 19 marked "send" the customers received their 20 profits by check? 21 A. Yes. 22 Q. If an account was marked "send" 23 and BLMIS sent the customer a check, was the 24 check made out to the customer whose name was 25 listed on the account?</p>
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<p>1 not email. Through a letter or through a fax, 2 you know, to state what changes that they want. 3 Q. Once a customer requested a 4 change, either from send to reinvest or reinvest 5 to send, how would that be accomplished at 6 BLMIS? 7 A. Once again, that information would 8 be inputted into the system to make that change. 9 Q. Would it be indicated in the 10 physical customer files or simply in the 11 computer? 12 A. No. We would have to have a paper 13 trail. So we would have, like I said, a letter 14 or fax that would tell us what they wanted us to 15 do. I'm not 100 percent sure if they verbally 16 spoke that to Frank over the phone, but I do 17 know that when we made changes -- when changes 18 were made it usually was done through paper. 19 Q. So if an account was marked 20 "send," did BLMIS send the customer their 21 profits in that account? 22 A. Yes. 23 Q. And if an account was marked 24 "send," was written authorization needed each 25 time before the profits were sent to the</p>	<p>1 A. Yes. 2 Q. If an account was marked "send," 3 did Bernard Madoff need to approve each profit 4 check that was sent out? 5 A. I don't know if he approved that 6 or not. 7 Q. If an account was marked 8 "reinvest," did BLMIS send the customer profits? 9 A. No. 10 Q. Were you ever responsible for 11 checks coming into BLMIS? 12 A. Yes. 13 Q. And what was your role with 14 respect to those checks? 15 A. When the mail came in I would get 16 the checks. I would log them into our daily 17 checkbook, basically with the customer's name, 18 the account number and the amount of what their 19 check is made payable to -- how much the check 20 was made out for, and I would log it into a 21 little stenography book and then at the end of 22 the day that would then go into the computer 23 room to Alethea and Dorothy and they would input 24 the information into the computer. 25 Q. So, just to unpack that a little</p>

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<p>1 bit, you referred to it as a daily checkbook, 2 which is a steno book? 3 A. Yes. 4 Q. And you were responsible for 5 logging the checks that came in each day? 6 A. Yeah, I would log in the checks. 7 Between myself and Simone, we would log those 8 checks in every day. 9 Q. And at the end of each day that 10 notebook would be taken into the computer room? 11 A. Yes. 12 Q. Is that accurate? 13 A. Yes. 14 Q. And they would log the -- Ms. 15 Kahn and Ms. Mui would log the amounts into the 16 computer system? 17 A. Into the customer's account, yes. 18 Q. And then would they return the 19 steno book to you for the next day? 20 A. Yes. 21 Q. And would you receive any 22 electronic printout with the information that 23 was in the steno notebook? 24 A. Yes. We would get a memo that we 25 would then mail to the -- it was like a receipt,</p>	<p>1 Q. Did you ever see trade 2 confirmations? 3 A. Yes. 4 Q. In what capacity did you see 5 customer statements? 6 A. In bulk. They would come out at 7 the end of the month. It would be a recap of 8 everything that happened within the month for 9 the customer. And when they would come out, we 10 would be responsible for mailing them out. 11 Q. So where would they come out from? 12 A. From -- they would be generated by 13 the computer room. 14 Q. And you would be responsible for 15 reviewing them? Or mailing them out? 16 A. We would be responsible for 17 mailing them out. 18 Q. And where did the mailing labels 19 come from? 20 A. Once again, they would be 21 generated when the statement was actually 22 generated. 23 Q. So you would have sort of a pile 24 on your desk; is that correct? 25 A. There would be a big pile in a</p>
Page 47	Page 49
<p>1 but it would be a memo that we would get that 2 would have the customer's name, the amount that 3 they sent in and their address and we would send 4 them that as a receipt that we received the 5 check. 6 Q. Was a copy of that receipt 7 maintained at BLMIS? 8 A. Yes. 9 Q. And where was it maintained? 10 A. We would put it in the file 11 cabinet. 12 Q. So the daily checkbook identified 13 the account number, the customer name and the 14 amount of the check; is that correct? 15 A. Yes. 16 Q. Was there any other information? 17 A. In some cases there were wires, 18 some would be sent in through wires. So if it 19 was a wire transaction, we would get the wire 20 information from the back office and that 21 information would be entered into that checkbook 22 as well. 23 Q. Okay. Did you ever have an 24 opportunity to see customer statements? 25 A. Yes.</p>	<p>1 room. This whole desk would be covered with 2 statements, because there was a lot of them. 3 Q. And you would physically place the 4 statements into an envelope? 5 A. The statements had to be run 6 through the decollator, broken down, and then 7 they would be stapled together and then input 8 into envelopes and mailed out. 9 Q. What's a decollator? 10 A. Decollator is a machine because 11 the paper comes in like three part. So it would 12 have to be separated because the top part would 13 be mailed to the customer, the second part -- 14 the rest of it would be held into our file. 15 Q. And then who physically mailed out 16 the statements once they were in envelopes? 17 A. Technically everybody in the 18 department other than management, we would 19 all -- at the end of the month we would all work 20 on making sure statements went out. 21 Q. And then would you physically mail 22 them yourself? 23 A. Yes, we would physically mail 24 them. 25 Q. Are you familiar with a profit/</p>

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<p>1 loss, a PL calculation for BLMIS accounts?</p> <p>2 A. I've heard of it. I've heard them</p> <p>3 talk about profit/losses, yes.</p> <p>4 Q. But you yourself never performed</p> <p>5 any such profit/loss calculation?</p> <p>6 A. In working with Annette, there</p> <p>7 were times whenever she would tell us certain</p> <p>8 calculations she wanted us to meet, but for me</p> <p>9 to say that I would know that it was the loss,</p> <p>10 she would tell us, like the amount that had to</p> <p>11 be generated, based on the stocks that we</p> <p>12 obtained from stock information that we obtained</p> <p>13 from the Bloomberg.</p> <p>14 Q. Let me just try to understand</p> <p>15 that. So she would ask you to research</p> <p>16 information on Bloomberg?</p> <p>17 A. Right.</p> <p>18 Q. For a specific purpose?</p> <p>19 A. Right.</p> <p>20 Q. And you would obtain the</p> <p>21 information that she was looking for?</p> <p>22 A. Right.</p> <p>23 Q. And that would generally be stock</p> <p>24 prices?</p> <p>25 A. Right.</p>	<p>1 hearing about this, no.</p> <p>2 Q. Can I direct your attention to</p> <p>3 6545 first.</p> <p>4 A. Yes.</p> <p>5 Q. The top of the page is entitled</p> <p>6 "Checks."</p> <p>7 A. Yes.</p> <p>8 Q. There's a reference to three</p> <p>9 different types of books, check-in book, check-</p> <p>10 out book and binder with profit checks?</p> <p>11 A. Yes.</p> <p>12 Q. What is your understanding of the</p> <p>13 check-in book?</p> <p>14 A. That's the small steno book that I</p> <p>15 described to you earlier, that when checks were</p> <p>16 coming in we would write the information in.</p> <p>17 Q. So you would log the incoming</p> <p>18 checks?</p> <p>19 A. We would log the incoming checks,</p> <p>20 yes.</p> <p>21 Q. Next to the number 2 on page 6545</p> <p>22 it says "check-out book." What was your</p> <p>23 understanding of the check-out book?</p> <p>24 A. The check-out book, what I know</p> <p>25 about the check-out book is just that binder</p>
Page 51	Page 53
<p>1 Q. And would it be sort of the highs</p> <p>2 and the lows of the day?</p> <p>3 A. Yes.</p> <p>4 Q. Was there any other type of</p> <p>5 information beyond that?</p> <p>6 A. I can't recall at this point.</p> <p>7 Q. I'd like to give you -- have you</p> <p>8 take a look at a document that was previously</p> <p>9 identified as Trustee Exhibit 49. It's a</p> <p>10 lengthy document and I'm only going to ask you</p> <p>11 about a couple of pages, but feel free to review</p> <p>12 it.</p> <p>13 A. (Witness reviewing document.)</p> <p>14 Q. I can tell you that my questions</p> <p>15 are going to relate to the pages that end 6545</p> <p>16 and 6547.</p> <p>17 The document is entitled "Madoff</p> <p>18 Investment Securities House 17 Manual, August</p> <p>19 1995." Have you seen this document before?</p> <p>20 A. No.</p> <p>21 Q. Do you remember ever hearing of</p> <p>22 the House 17 manual?</p> <p>23 A. I don't recall hearing about this.</p> <p>24 MS. CHAITMAN: I'm sorry?</p> <p>25 THE WITNESS: I don't recall</p>	<p>1 that I told you about that we would get once the</p> <p>2 checks were going out.</p> <p>3 Q. Where you would place the check</p> <p>4 log?</p> <p>5 A. The check logs, yeah.</p> <p>6 Q. And the binder with profit checks?</p> <p>7 A. That would be, once again, the</p> <p>8 binders that we would have with the checks. The</p> <p>9 log book.</p> <p>10 Q. Right. Ms. Crupi also dealt with</p> <p>11 the checkbook, did you mention --</p> <p>12 A. Yes.</p> <p>13 Q. -- that at the beginning?</p> <p>14 And what were her responsibilities</p> <p>15 with respect to the checkbook?</p> <p>16 A. Well, I mean, when I initially</p> <p>17 started there she handled the checkbook solely</p> <p>18 herself, doing basically what I did, anything</p> <p>19 coming in and going out, she was responsible for</p> <p>20 logging everything, all the checks coming in,</p> <p>21 wires coming in, in the check-in book. So</p> <p>22 pretty much she did -- I took over that</p> <p>23 responsibility from her.</p> <p>24 Q. Okay. How would you or Ms. Crupi</p> <p>25 know what checks should go out?</p>

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<p style="text-align: right;">Page 54</p> <p>1 A. How would we know what checks 2 would go out? 3 Q. Yeah. 4 A. Basically that was handled by 5 Jodi, Frank and Annette on what checks would go 6 out. Once again, if a customer requested a 7 check, they would send a letter in and then they 8 would be responsible for making sure that money 9 was sent out to the customer. 10 Q. And if it was an account that was 11 triggered to receive profits, how would the 12 computer -- how would Ms. Mui and Ms. Kahn know 13 to prepare that check? 14 A. Once again, that would be 15 information that Jodi and Annette or Frank would 16 give them when the check account was set up, or 17 if the customer was requesting to receive the 18 profits for that account. 19 Q. Okay. And right underneath the 20 three books we were looking at, there are a 21 couple of sentences that I'll read. 22 "Jodi will give you checks on a 23 daily basis. She will give you an instruction 24 sheet which will tell you what outgoing checks 25 should be punched and the check date."</p>	<p style="text-align: right;">Page 56</p> <p>1 was a request for checks. 2 Q. And you referred to it as the C&S 3 sheet and that was cash and securities? 4 A. That's what we called it. 5 Q. And Jodi Crupi was responsible for 6 preparing that sheet? 7 A. Normally she would write those up. 8 Q. Were you ever responsible for 9 doing that? 10 A. There were times that I did write 11 them up. 12 Q. And where would you obtain the 13 information to put into the C&S sheet? 14 A. If there was a letter requesting 15 money from a customer, and she would say, 16 Winnie, write this up on the withdrawal sheet, 17 indicating the customer was requesting a certain 18 amount of money. But then the letter would be 19 given -- the week before we did that we always 20 had to give the letters to them before -- the 21 account representative, which is Frank, Annette 22 or Jodi, in order for them to say write this up 23 or the approval given. 24 Q. So they would authorize the check. 25 And that would be for a one-time transaction?</p>
<p style="text-align: right;">Page 55</p> <p>1 Do you have an understanding of 2 what the instruction sheet referred to there 3 would be? 4 A. Yeah. She would give them the -- 5 there would be what we would call a C&S sheet. 6 It would be a green sheet. 7 Q. I'm sorry, a C? 8 A. C&S. We called it a C&S sheet. 9 It was cash and securities. That's what we 10 called it. We would call it a C&S sheet, and 11 she would write out on that sheet the customer's 12 name, the amount of the money that they were 13 requesting and a coding on it, whether it was a 14 profit or a capital withdrawal on the account. 15 Q. And you said that sheet was green? 16 A. That sheet, if I'm not mistaken, 17 yes, because that was outgoing. 18 Q. Was there a similar sheet for 19 ingoing? 20 A. Yeah. If a customer sent in a 21 check wire or -- wait, hold on. The yellow 22 sheet was -- the green sheet was when checks 23 went out. The yellow sheet was, I just drew a 24 blank on that one, I'm sorry. But I know that 25 the green sheet was definitely whenever there</p>	<p style="text-align: right;">Page 57</p> <p>1 A. If it was a request, yes. 2 Q. And do you recall how the 3 information for profit withdrawals would end up 4 on the C&S sheet? 5 A. Profit withdrawals, once again, if 6 that was like a one-time request, would end up 7 on that sheet like that, to my understanding. 8 Q. Okay. 9 A. They didn't write up all the 10 profit withdrawals every time because that was 11 already set up in the system based on 12 information the customer sent in. 13 Q. Let's take a look at -- before you 14 turn the page, at the bottom -- we're still in 15 that Exhibit 49. At the bottom there is some 16 typing that says, "PW - DT - CW" and then an 17 arrow, "punch as (field) debits." 18 Do you have any understanding what 19 that means? 20 A. Yeah, that meant that they were 21 being -- that meant that it was being taken from 22 the account. 23 Q. So in your understanding -- 24 A. Money -- I'm sorry. 25 Q. Finish.</p>

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<p style="text-align: right;">Page 58</p> <p>1 A. Money that was being withdrawn 2 from the account. 3 Q. So in your understanding profit 4 withdrawal transactions were debited from a 5 customer's account? 6 A. Yes. 7 Q. So a profit withdrawal transaction 8 would reduce the balance -- 9 A. Yes. 10 Q. -- of a customer's account. 11 And the amounts that were debited 12 from a customer's account would be sent to that 13 customer? 14 A. Yes. 15 Q. And were amounts debited from 16 customer accounts ever, to your knowledge, sent 17 to companies to purchase stock? 18 A. I don't know about anything like 19 that. 20 Q. I'd like you to take a look at the 21 page ending in 6547 in Trustee Exhibit 49. The 22 page is entitled "Entering and Running Checks." 23 There's some handwriting on the left-hand side 24 that appears to say "check name is a function of 25 name ADRR."</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Ms. Kahn and Ms. Mui. 2 Q. I'd like to mark as Trustee 3 Exhibit 50 a document that begins with Bates 4 number MADTSS01239682 and ends in MADTSS- 5 01239797. 6 (Trustee Exhibit 50 marked for 7 identification.) 8 Q. I show you Exhibit Trustee 50, but 9 I'm only going to ask you about the page that 10 ends in 9732. 11 MS. CHAITMAN: Is this someone's 12 copy of this with the handwritten notations? Do 13 you know whose this is? 14 MS. VANDERWAL: It was found at 15 BLMIS. We don't know who it belongs to. 16 MS. CHAITMAN: Okay. 17 BY MS. VANDERWAL: 18 Q. If you could take a look at the 19 page ending in 9732, the page is entitled 20 "Entering Levy Checks Or Manual Punch Checks." 21 There is a series of numbers going down the left 22 side of the page, an "E," next to E says, "Enter 23 transaction code - PW, CW or DT." Do you see 24 that? 25 A. Um-hum.</p>
<p style="text-align: right;">Page 59</p> <p>1 Do you recognize that handwriting? 2 A. No. 3 Q. Do you know what that reference is 4 to? 5 A. No. 6 MS. CHAITMAN: What page are you 7 on? 8 MS. VANDERWAL: 6547. 9 MS. CHAITMAN: Okay. 10 Q. Close to the bottom of the page 11 there's a sentence that reads, "All paperwork 12 from checks go in cabinet in Jodi's office." 13 Do you know what paperwork is 14 being referred to there? 15 A. That could mean a request for a 16 check. I'm not 100 percent sure exactly what 17 that means, but it could very well mean for a 18 request for a check. 19 Q. Okay, we're all done with that 20 exhibit, thank you. 21 A. You're welcome. 22 Q. When the C&S sheets were filled in 23 by Ms. Crupi, who did she give them to? 24 A. The computer room. 25 Q. So Ms. Kahn and Ms. Mui?</p>	<p style="text-align: right;">Page 61</p> <p>1 Q. Then at the -- I'm sorry, if you 2 could just say yes or no? 3 A. Yes. I'm sorry. Yes. 4 Q. At the bottom of the page there is 5 a sentence that says, "All paperwork from checks 6 go into cabinet in Winnie's office." 7 A. Yes. 8 Q. Do you believe that to be a 9 reference to you? 10 A. Yes. 11 Q. What paperwork from checks would 12 be stored in your office? 13 A. The Levy checks? I don't recall 14 what that was because I didn't keep -- I don't 15 recall keeping anything for Levy in my office. 16 Q. There's also a reference here to 17 manual punch checks. 18 A. Um-hum. 19 Q. Did you recall checks that were 20 not Levy checks, was paperwork kept in your 21 office? Do you recall generally paperwork 22 generated from checks? 23 A. Honestly right now, I can't really 24 recall that. 25 Q. Okay.</p>

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17 (Pages 62 to 65)

<p style="text-align: right;">Page 62</p> <p>1 A. I mean, it's possible, but I just 2 don't -- 3 Q. Okay. 4 A. -- I don't recall it right 5 offhand. 6 Q. Do you recall any paperwork in 7 general being stored in your office that related 8 to checks? 9 A. Yes. 10 Q. What was that? 11 A. Once the checkbook was completed 12 at the end of the month, it was put into -- like 13 all the checks for the completion at the end of 14 the month, the check logs, we would put them in 15 our, like a yellow folder, they were always put 16 together, and any checks that were like blank, 17 like the blank checks or the copies of the 18 actual check itself, they would all be put into 19 folders. 20 Okay, now I remember. They would 21 be put into folders -- I mean into envelopes and 22 I would have to mark them -- I would have to 23 mark them for the month, you know, that we were 24 in -- that those checks were generated in. And 25 then they would then be later reconciled by Dan</p>	<p style="text-align: right;">Page 64</p> <p>1 month, like on a daily basis any checks that 2 went out they generated a run, which we would 3 write the check number in. I would keep them in 4 a binder in my office until the end of the 5 month. The last day of the month or a couple of 6 days, I would then go through it and just 7 reconcile, just make sure all the checks matched 8 the check logs. And then I would put them in a 9 yellow, a big yellow folder and I would write on 10 them and I would keep them in a back drawer in 11 my office until they were picked up to be 12 reconciled by Ruth or Danny, and then they would 13 give them back to me and we would keep them 14 there until a certain time period and then we 15 would send them out to be stored properly. 16 Q. So you would complete your 17 reconciliation, Ruth Madoff and Dan Bonaventure 18 would perform an additional reconciliation? 19 A. Yes. 20 Q. They would return the documents to 21 you, and then the documents would be sent out? 22 A. Then they would be bind together 23 and put away. 24 Q. What do you mean by put away? 25 A. In other words, after a certain</p>
<p style="text-align: right;">Page 63</p> <p>1 Bonaventure or Ruth Madoff. Just trying to 2 think. 3 So we would keep those -- yeah, 4 they were kept in my office. 5 Q. So those were checks that came in? 6 A. No. These were the check logs. 7 The actual check logs for the month and the 8 actual checks like for the entire month. Like 9 all the checks for the entire month. There was 10 three parts to them. You got the checks that 11 went out to customers, there would be the top 12 copy that we would send out, then there would be 13 copies underneath that, carbon copies underneath 14 that. 15 Those were the copies that were 16 reconciled against the checkbook at month end 17 with the bank statements from Ruth and Danny, 18 Ruth Madoff and Danny Bonaventure. So they were 19 kept in my office. At the end of the month I 20 had to go through and just kind of reconcile to 21 make sure all the paperwork was in order. 22 Q. So what was your role specifically 23 in reconciling the paperwork? What did it mean 24 to put it all in order? 25 A. In other words, at the end of the</p>	<p style="text-align: right;">Page 65</p> <p>1 time period we would box them up, they would 2 have to be boxed up, and then would have to 3 write on the box what the date was for the 4 check, the time period, January to June of 2016, 5 check logs -- checkbook, and then they would be 6 filed and put away. 7 Q. Where would the boxes be stored? 8 A. We would keep those in-house for a 9 while. They wouldn't go to the stor -- to the 10 storage facilities. Those would stay in-house 11 just in case someone needed them. Like say they 12 may stay in-house for a year or sometimes two 13 years, it depends. It wouldn't be sent out to 14 storage. 15 Q. Okay, I'm done with that, thank 16 you. 17 Were you -- to your knowledge, the 18 reconciliation performed by Ruth Madoff and Dan 19 Bonaventure, they were reconciling the checks to 20 what? 21 A. To the bank statements. 22 Q. Were you the only person at BLMIS 23 who performed the reconciliation, the first 24 level of reconciliation before the checks went 25 to Ruth Madoff and Dan Bonaventure?</p>

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<p style="text-align: right;">Page 66</p> <p>1 A. Prior to me doing it, Jodi used to 2 do it. If I was not in the office, Simone would 3 do it, but most of the time I was the one who 4 would do the bank. 5 Q. Okay. I'd like to show you an 6 exhibit that's been previously marked as Trustee 7 Exhibit 23. 8 Does Exhibit 23 look like the type 9 of customer documents that you testified earlier 10 were kept in folders? 11 A. Yes, but this is like going back 12 from the very beginning of time, from when I 13 first started there, because this document 14 changed a little bit. But yes. 15 Q. Does this appear to be the 16 customer file for account number 1C1047 in the 17 name of Hanoh Charat? 18 A. Yes. 19 Q. I direct you your attention to the 20 page that ends in 2330. 21 A. Yes. 22 Q. It's entitled "Name/Address File 23 Maintenance." 24 A. Yes. 25 Q. Are you familiar with this type of</p>	<p style="text-align: right;">Page 68</p> <p>1 A. No. 2 Q. I direct your attention to sort of 3 the bottom half of the form. There's three 4 headings: Profits, dividends, interest, and 5 there's a note that "S" equals send and "R" 6 equals reinvest. 7 A. Yes. 8 Q. What do you understand that to 9 mean? 10 A. Once again, that whatever the 11 profits are on the account, the "S" would 12 indicate to send the profits to the customer. 13 Reinvest, the "R" for reinvestment meant to 14 reinvest whatever the profits was back into the 15 customer's account. 16 Q. And can you tell from this account 17 for 1C1047 if it was a send account or a 18 reinvest account? 19 A. Yes, it's a send account. 20 Q. And how can you determine that? 21 A. Because it was marked "S" as a 22 send. 23 Q. So, for the record, you're 24 referring to the handwritten "S" -- 25 A. Yes.</p>
<p style="text-align: right;">Page 67</p> <p>1 form? 2 A. Yes. 3 Q. And what is this type of form? 4 A. This will go into the customer's 5 account whenever they initially opened the 6 account and a number would be assigned to it. 7 And basically you just take the customer's name, 8 address, phone number and information, personal 9 information, once again. 10 Q. And who would be responsible for 11 filling in this type of form? 12 A. This would be technically filled 13 in by the customer and, in some cases, depending 14 on how the account was opened, if it was given 15 by the account representatives, the customer 16 would write this information in. Certain 17 information like the account numbers and stuff 18 like that would be written in by the account 19 representative. 20 Q. So by account representative, who 21 do you mean? 22 A. Frank, Jodi, Annette or even 23 Bernie. 24 Q. Would you ever be responsible for 25 filling in one of these?</p>	<p style="text-align: right;">Page 69</p> <p>1 Q. -- under the word "profits"? 2 A. Yes. 3 Q. Next to the words "Type 1"? 4 A. Yes. 5 Q. Do you recognize any of the 6 handwriting on this 2300 (sic)? 7 A. The only handwriting I really 8 recognize is "Charat" that's written in as a 9 short name. That is Annette's handwriting. 10 Q. For the record, let me indicate 11 that Ms. Jackson has identified the word 12 "Charat" halfway down the page next to "short 13 name (12)" as belonging to Annette Bongiorno. 14 Is there any other handwriting on the page that 15 you recognize? 16 A. The only other handwriting I can 17 identify to, it looks like the money amount, it 18 looks like Jodi's handwriting, 100325. 19 Q. So Ms. Jackson has indicated the 20 number at the very bottom of the page in the 21 middle, 100325, as belonging to Ms. Crupi. 22 A. Jodi, yeah. 23 Q. Okay, thank you. 24 I'd like to show you Trustee 25 Exhibit 24. Do you recognize that document?</p>

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<p>1 A. Yes.</p> <p>2 Q. What is that document?</p> <p>3 A. This is a check.</p> <p>4 Q. And is it a check dated July --</p> <p>5 sorry -- January 5th, 1999 in the amount of</p> <p>6 \$2,688.50?</p> <p>7 A. Yes.</p> <p>8 Q. And who is the check made out to?</p> <p>9 A. Hanoh Charat.</p> <p>10 Q. And in the memo line where it says</p> <p>11 "for," is that the account number for the</p> <p>12 account we were just reviewing in Trustee</p> <p>13 Exhibit 23?</p> <p>14 A. Yes.</p> <p>15 Q. And whose name is on the top of</p> <p>16 the check?</p> <p>17 A. Bernard L. Madoff.</p> <p>18 Q. And do you recognize the</p> <p>19 signatory?</p> <p>20 A. Yes.</p> <p>21 Q. Who is the signatory?</p> <p>22 A. Walter Tiletnick.</p> <p>23 Q. If you could turn the check over</p> <p>24 to the page that ends in Bates number 7120, does</p> <p>25 this appear to be the back of the check?</p>	<p>1 reference?</p> <p>2 A. I think those had reference of PWs</p> <p>3 on them, yes.</p> <p>4 Q. I'd like to show you what has</p> <p>5 previously been marked as Trustee Exhibit 25.</p> <p>6 Do you recognize the document that was</p> <p>7 previously marked as Trustee Exhibit 25?</p> <p>8 A. Yes.</p> <p>9 Q. And what is that document?</p> <p>10 A. This looks like an account</p> <p>11 statement.</p> <p>12 Q. Okay. Does it appear to be an</p> <p>13 account statement for Hanoh Charat?</p> <p>14 A. Yes.</p> <p>15 Q. Dated January 31st, 1999?</p> <p>16 A. Yes.</p> <p>17 Q. And you're familiar with customer</p> <p>18 statements from your work at BLMIS?</p> <p>19 A. Yes.</p> <p>20 Q. The first notation under the</p> <p>21 heading "Balance Forward" on January 5th there's</p> <p>22 an indication PW and an amount of \$2,688.50.</p> <p>23 And it states "check Boston Scientific." Do you</p> <p>24 see that entry?</p> <p>25 A. Yes.</p>
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<p>1 A. Yes.</p> <p>2 Q. And does it appear to be endorsed?</p> <p>3 A. Yes.</p> <p>4 Q. From your work at BLMIS, you're</p> <p>5 familiar with seeing this type of check?</p> <p>6 A. Yes.</p> <p>7 Q. Is there any indication on this</p> <p>8 check as to whether it represents a capital</p> <p>9 withdrawal, a profit withdrawal?</p> <p>10 A. Not on this portion of the check,</p> <p>11 no.</p> <p>12 Q. Are you aware of a portion of the</p> <p>13 check where that would be indicated?</p> <p>14 A. On the memo part of it, if I'm not</p> <p>15 mistaken on the memo part of it would tell you</p> <p>16 if it was a PW.</p> <p>17 Q. What do you mean by memo? You</p> <p>18 don't mean the memo line?</p> <p>19 A. Not this, not here. There's two</p> <p>20 parts to the check. There's like a top part,</p> <p>21 that's the memo that the customer would keep.</p> <p>22 This the part that you would deposit to the</p> <p>23 bank.</p> <p>24 Q. Okay. And you believe on the top</p> <p>25 part of the check there may have been a</p>	<p>1 Q. What do you understand that to</p> <p>2 represent?</p> <p>3 A. A check was cut for -- a profit</p> <p>4 withdrawal check was cut for her in the amount</p> <p>5 of \$2,688.50.</p> <p>6 Q. If you go back to Trustee Exhibit</p> <p>7 24.</p> <p>8 A. Yes.</p> <p>9 Q. Does this check appear to</p> <p>10 correspond to the entry next to "check Boston</p> <p>11 Scientific" on the January 31st, 1999 statement?</p> <p>12 A. Yes.</p> <p>13 Q. Is the amount the same on both the</p> <p>14 check and the January 31st 1999 statement?</p> <p>15 A. Yes.</p> <p>16 Q. And the check on Exhibit 24, who</p> <p>17 is that check made out to?</p> <p>18 A. Hanoh Charat.</p> <p>19 Q. So even though the statement says</p> <p>20 "check Boston Scientific," the check is made out</p> <p>21 to Hanoh Charat?</p> <p>22 A. Yes.</p> <p>23 Q. Based on your experience, were</p> <p>24 checks ever made out to the company whose</p> <p>25 trading purportedly generated the profit?</p>

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<p style="text-align: right;">Page 74</p> <p>1 A. Not that I know of, no.</p> <p>2 Q. So as we discussed, on the face of</p> <p>3 this check there is nowhere to indicate it</p> <p>4 relates to profit withdrawals?</p> <p>5 A. Not on the face of this check that</p> <p>6 you're showing me, no.</p> <p>7 Q. I'd like to show you what was</p> <p>8 previously marked as Trustee Exhibit 28. Do you</p> <p>9 recognize what Exhibit 28 is?</p> <p>10 A. Yes.</p> <p>11 Q. What is it?</p> <p>12 A. It's a check that was being</p> <p>13 payable to Hanoh Charat from Bernard L. Madoff.</p> <p>14 Q. And the date on the check is</p> <p>15 November 25th, 1998 and the amount of the check</p> <p>16 is \$1,331.75, correct?</p> <p>17 A. Yes.</p> <p>18 Q. Do you recognize the signature?</p> <p>19 A. Yes.</p> <p>20 Q. On the check. Whose signature is</p> <p>21 that?</p> <p>22 A. Walter Tiletnick.</p> <p>23 Q. And the account number in the</p> <p>24 "for" line, does that correspond to the account</p> <p>25 file that we were receiving -- that we were</p>	<p style="text-align: right;">Page 76</p> <p>1 A. Yes.</p> <p>2 Q. And is the amount on the November</p> <p>3 30th, 1998 account statement the same as the</p> <p>4 check that we reviewed as Trustee Exhibit 28?</p> <p>5 A. Yes.</p> <p>6 Q. And even though the account</p> <p>7 statement states "check Cardinal Health," who is</p> <p>8 the check made out to in Trustee Exhibit 28?</p> <p>9 A. Hanoh Charat.</p> <p>10 Q. And so the check seems to</p> <p>11 correspond to this transaction on November 30th,</p> <p>12 1998?</p> <p>13 A. Yes.</p> <p>14 THE VIDEOGRAPHER: Four minutes</p> <p>15 remaining on tape, counsel.</p> <p>16 Q. Based on your experience, when</p> <p>17 profit withdrawal transactions appear on</p> <p>18 customer statements, were the corresponding</p> <p>19 checks made out to the account holder like they</p> <p>20 are here for Hanoh Charat?</p> <p>21 A. Yes.</p> <p>22 MS. VANDERWAL: Okay, I think</p> <p>23 that's a good spot to take a break.</p> <p>24 THE VIDEOGRAPHER: The time is</p> <p>25 11:59 a.m., off the record.</p>
<p style="text-align: right;">Page 75</p> <p>1 reviewing relating to account 1C1047?</p> <p>2 A. Yes.</p> <p>3 Q. And if you turn the check over to</p> <p>4 the document with the Bates number ending in</p> <p>5 9120, does that appear to be the back of the</p> <p>6 check?</p> <p>7 A. Yes.</p> <p>8 Q. And does it appear to have been</p> <p>9 endorsed?</p> <p>10 A. Yes.</p> <p>11 Q. And I'd like to show you what was</p> <p>12 previously marked as Trustee Exhibit 27, which</p> <p>13 we should have here.</p> <p>14 What does Trustee Exhibit 27</p> <p>15 appear to be?</p> <p>16 A. Account statement.</p> <p>17 Q. For Hanoh Charat dated November</p> <p>18 30th, 1998; is that correct?</p> <p>19 A. Yes.</p> <p>20 Q. And do you see an entry on</p> <p>21 November 25th, 1998 for a profit withdrawal</p> <p>22 transaction in the amount of 1,331.75?</p> <p>23 A. Yes.</p> <p>24 Q. Described as "check Cardinal</p> <p>25 Health"?</p>	<p style="text-align: right;">Page 77</p> <p>1 (Recess taken.)</p> <p>2 THE VIDEOGRAPHER: Time is 12:14</p> <p>3 p.m. This begins DVD number 2, back on the</p> <p>4 record.</p> <p>5 BY MS. VANDERWAL:</p> <p>6 Q. I'd like to take a look at what</p> <p>7 has previously been marked as Trustee Exhibit</p> <p>8 31. Does this appear to be a customer file?</p> <p>9 A. This could be -- yes, it does look</p> <p>10 like a customer file.</p> <p>11 Q. Does this appear to be the</p> <p>12 customer file for Doris Zimmeth, account number</p> <p>13 1Z0009?</p> <p>14 A. Yes.</p> <p>15 Q. I direct your attention to the</p> <p>16 page ending in 3550.</p> <p>17 A. Yes.</p> <p>18 Q. Which says "Name/Address File</p> <p>19 Maintenance" at the top.</p> <p>20 A. Yes.</p> <p>21 Q. Do you recognize this form?</p> <p>22 A. Yes.</p> <p>23 Q. Do you recognize any of the</p> <p>24 handwriting on this form?</p> <p>25 A. Yes.</p>

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<p>1 Q. Which handwriting do you 2 recognize? 3 A. Where there's like a change of 4 address here where it's written "Boca Raton," 5 that's Annette's handwriting. 6 Q. Just for the record, next to the 7 word "city," there is some handwriting that says 8 "Boca Raton." Ms. Jackson has identified as 9 belonging to Annette Bongiorno. 10 Is there any other handwriting? 11 A. Where it says "short name Zimmeth 12 D," that's Annette's handwriting. 13 Q. So "short name (12) Zimmeth D" has 14 been identified by Ms. Jackson as also being 15 Annette Bongiorno's handwriting. 16 A. Also where the Social Security 17 number is written in, that's Annette's 18 handwriting. 19 Q. Okay. Any other handwriting you 20 recognize? 21 A. The change from the "R" to the 22 "S," this appears to be Annette's handwriting as 23 well. 24 Q. So the handwritten "R" and "S" at 25 the bottom of the page, the "R" that is crossed</p>	<p>1 written to Jo Ann Sala. Do you recall someone 2 named Jo Ann Sala? 3 A. Yes, she used to work there. 4 Q. What was her role? 5 A. She was one of the account 6 managers also. 7 Q. And could you read the text of the 8 letter under where it says "Gentlemen"? 9 A. It says, "Please be good enough to 10 change the above account to a reinvestment 11 account as of today. Thank you. Yours truly, 12 Doris Zimmeth." 13 Q. And are you familiar with this 14 type of a document from your work at BLMIS? 15 A. Yes. 16 Q. And if you were to receive this 17 type of document, what would you do with it? 18 A. If it was a send account, then she 19 would change the status of the account to a 20 reinvestment account. 21 Q. And by "she" you mean? 22 A. Jo Ann Sala, whoever received the 23 check. 24 Q. Did you work with Jo Ann? 25 A. She was there when I first started</p>
Page 79	Page 81
<p>1 off and the "S" that's written below appears to 2 belong to Annette Bongiorno? 3 A. Yes. 4 Q. And then the 102608, that appears 5 to be Jodi's handwriting. 6 Q. So you've indicated that at bottom 7 of the page in the middle the number is 102608, 8 appears to be Jodi Crupi's handwriting? 9 A. Yes. 10 Q. Can you tell from reviewing this 11 form whether it was a send account or a reinvest 12 account? 13 A. It looks like in the beginning it 14 was a send account. Then it was marked out to 15 be a reinvestment account and then it ended up 16 being a send account. 17 Q. So since this is a send account, 18 what does it mean with respect to the profit -- 19 A. That means that the profits should 20 be sent to the customer. 21 Q. I direct you to the page ending in 22 Bates number 3566. 23 MS. CHAITMAN: I'm sorry, 35? 24 MS. VANDERWAL: 3566. 25 Q. 3566 appears to be a letter</p>	<p>1 working there, so I did very little work with 2 her, but she was one of the account managers, 3 but I didn't work under her. 4 Q. I'd like to now direct your 5 attention to the page ending in 3562. This 6 appears to be a letter to Fran Barbetto dated 7 July 3rd, 1998. Are you familiar with Fran 8 Barbetto? 9 A. Barbato, yes. 10 Q. And who is she? 11 A. Fran held the same role as I did, 12 she was like one of the account, one of the 13 administrative assistants. She worked under 14 Jo Ann. 15 Q. And could you please read the 16 sentence beginning with "Please eliminate," 17 which is the second paragraph of the letter. 18 A. "Please eliminate my reinvestment 19 plan and send me monthly checks. Thank you for 20 your consideration and courtesy on my behalf. 21 Yours truly, Doris Zimmeth." 22 Q. Based on your experience working 23 at BLMIS, what do you understand that request to 24 mean? 25 A. She didn't want it to be a</p>

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<p>1 reinvestment. She wanted it to be sent to her</p> <p>2 on a monthly basis, her profits.</p> <p>3 Q. There is a handwritten notation</p> <p>4 that appears to be in different handwriting at</p> <p>5 the bottom of the page, says 7/6/98 and some</p> <p>6 initials. Do you recognize that handwriting?</p> <p>7 A. Yes.</p> <p>8 Q. Whose handwriting is that?</p> <p>9 A. That's mine.</p> <p>10 Q. And so what -- in what</p> <p>11 circumstance did you add your initials to this</p> <p>12 type of correspondence?</p> <p>13 A. That I properly filed it.</p> <p>14 Q. That's all I have with that.</p> <p>15 A. Okay.</p> <p>16 MS. VANDERWAL: I'd like to mark a</p> <p>17 document bearing Bates number MADWAA00377277 as</p> <p>18 Trustee Exhibit 51.</p> <p>19 (Trustee Exhibit 51 marked for</p> <p>20 identification.)</p> <p>21 Q. Could you please take a look at</p> <p>22 Exhibit 51 and tell me if the document looks</p> <p>23 familiar to you?</p> <p>24 A. Yes.</p> <p>25 Q. What is that document?</p>	<p>1 Q. Does it appear to relate to the</p> <p>2 same account 1-Z0009 as the check we've</p> <p>3 identified as Trustee Exhibit 51?</p> <p>4 A. Yes.</p> <p>5 Q. And is there an entry on January</p> <p>6 5th, 1999 identified as "check Boston</p> <p>7 Scientific, PW" in the amount of \$141.50?</p> <p>8 A. Yes.</p> <p>9 Q. And does that amount \$141.50 on</p> <p>10 the account statement correspond to the amount</p> <p>11 of the check?</p> <p>12 A. Yes.</p> <p>13 Q. And is the check that we've</p> <p>14 identified as Exhibit 51 made out to Boston</p> <p>15 Scientific?</p> <p>16 A. No.</p> <p>17 Q. Who is the check that's in the</p> <p>18 exhibit we identify as 51 made out to?</p> <p>19 A. It's made out to Doris Zimmeth,</p> <p>20 Jarid P. Maged and Gina L. Maged.</p> <p>21 Q. Based on your experience, when</p> <p>22 profit withdrawal transactions appeared on</p> <p>23 customer statements, were the corresponding</p> <p>24 checks made out to account holders, like Doris</p> <p>25 Zimmeth and the others identified on the check?</p>
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<p>1 A. Once again, it's a check that was</p> <p>2 made payable to Doris Zimmeth, Jarid P. Maged</p> <p>3 and Gina L. Maged from the Bernard L. Madoff</p> <p>4 account.</p> <p>5 Q. And the date of the check is</p> <p>6 January 5th, 1999, correct?</p> <p>7 A. Yes.</p> <p>8 Q. And the amount of the check is</p> <p>9 \$141.50, correct?</p> <p>10 A. Yes.</p> <p>11 Q. And based on the number 1-Z0009-1</p> <p>12 in the memo line, this appears to relate to the</p> <p>13 customer file we were just taking a look at?</p> <p>14 A. Yes.</p> <p>15 MS. VANDERWAL: I'd like to mark</p> <p>16 as Trustee Exhibit 52 a document with Bates</p> <p>17 number MDPTPP05721154, ending in MDPTPP05271155.</p> <p>18 (Exhibit Trustee 52 marked for</p> <p>19 identification.)</p> <p>20 Q. Do you recognize the document that</p> <p>21 has been identified as Trustee Exhibit 52?</p> <p>22 A. Yes.</p> <p>23 Q. What is that document?</p> <p>24 A. It looks like an account</p> <p>25 statement.</p>	<p>1 A. Yes.</p> <p>2 Q. Okay, we're all done with that</p> <p>3 check.</p> <p>4 I'd like to give you the exhibits</p> <p>5 previously marked as 32, 33, 34 and 35 to look</p> <p>6 at together.</p> <p>7 Exhibit 32, does that appear be an</p> <p>8 account statement for the Doris Zimmeth account?</p> <p>9 A. Yes.</p> <p>10 Q. Account number 1-Z0009?</p> <p>11 A. Yes.</p> <p>12 Q. And do you see a PW transaction in</p> <p>13 the amount of \$90.50?</p> <p>14 A. Yes.</p> <p>15 Q. Identified as "check Harley" on</p> <p>16 August 14th, 1992?</p> <p>17 A. Yes.</p> <p>18 Q. And you're familiar with this type</p> <p>19 of statement from your employment at BLMIS?</p> <p>20 A. Yes.</p> <p>21 Q. Would you please turn to the</p> <p>22 exhibit marked Trustee 33. Does this appear to</p> <p>23 also be a statement for the Doris Zimmeth</p> <p>24 account 1-0009-1?</p> <p>25 A. Yes.</p>

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23 (Pages 86 to 89)

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<p>1 Q. Dated September 30th, 1992?</p> <p>2 A. Yes.</p> <p>3 Q. And do you see a transaction on</p> <p>4 this customer statement on September 22nd, a</p> <p>5 profit withdrawal in the amount of \$173.92?</p> <p>6 A. Yes.</p> <p>7 Q. And it's identified as "check</p> <p>8 Staples"?</p> <p>9 A. Yes.</p> <p>10 Q. Based on your experience at BLMIS,</p> <p>11 would the "check Harley" identified on Trustee</p> <p>12 Exhibit 32 and the "check Staples" identified on</p> <p>13 Exhibit 33 have been checks sent to Doris</p> <p>14 Zimmeth?</p> <p>15 A. Yes.</p> <p>16 Q. And would they have been paid to</p> <p>17 Doris Zimmeth?</p> <p>18 A. Yes.</p> <p>19 Q. I direct your attention please to</p> <p>20 Trustee Exhibit 34. It is entitled "Arbitrage</p> <p>21 Portfolio Transactions." Are you familiar with</p> <p>22 this type of report?</p> <p>23 A. I've seen it before, yes.</p> <p>24 Q. And in what capacity did you see</p> <p>25 it?</p>	<p>1 has no familiarity with this document, so you</p> <p>2 could say that to a judge. You don't need to</p> <p>3 take up her time with that, really.</p> <p>4 MS. VANDERWAL: If you'd like to</p> <p>5 object, it could be noted for the record.</p> <p>6 MS. CHAITMAN: It's not an</p> <p>7 objection, I just think in fairness, I mean,</p> <p>8 she's not familiar with the document, so what's</p> <p>9 the point in doing that?</p> <p>10 Q. Turning to Trustee Exhibit 34, do</p> <p>11 you see an entry there from September 22nd? A</p> <p>12 PW under Doris Zimmeth in the amount of \$173.92?</p> <p>13 A. Yes.</p> <p>14 Q. And does that correspond to the</p> <p>15 entry on Trustee Exhibit 33 where it says "check</p> <p>16 Staples"?</p> <p>17 A. Yes.</p> <p>18 Q. I now direct your attention to</p> <p>19 Trustee Exhibit 35. This is a report entitled</p> <p>20 "Arbitrage Portfolio Management Report as of</p> <p>21 12/31/92." Are you familiar with this report?</p> <p>22 A. Once again, I didn't deal with the</p> <p>23 arbitrage accounts, but I know what the report</p> <p>24 is.</p> <p>25 Q. And you've seen this report?</p>
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<p>1 A. Well, I didn't deal with the</p> <p>2 arbitrage accounts. This was very early on when</p> <p>3 I was there, but this is a transaction report</p> <p>4 that basically gives a listing of all of the</p> <p>5 monies that came in and went out for a customer.</p> <p>6 Q. Do you understand how the</p> <p>7 arbitrage transactions worked?</p> <p>8 A. Not really. I didn't really deal</p> <p>9 with them too much.</p> <p>10 Q. Who dealt with the arbitrage</p> <p>11 transaction?</p> <p>12 A. The arbitrage was dealt with by</p> <p>13 Jo Ann Sala.</p> <p>14 Q. I direct your attention to the</p> <p>15 part of Exhibit 34 where it says 1Z0091 and the</p> <p>16 name "Doris Zimmeth."</p> <p>17 A. Yes.</p> <p>18 Q. Do you see close to the bottom of</p> <p>19 the list of items under "Doris Zimmeth" a</p> <p>20 notation for "8/14, PW, \$90.50"?</p> <p>21 A. Yes.</p> <p>22 Q. And does that correspond to the</p> <p>23 statement that we looked at in Exhibit 32?</p> <p>24 A. Yes.</p> <p>25 MS. CHAITMAN: She's testified she</p>	<p>1 A. I've seen these reports before,</p> <p>2 yes.</p> <p>3 Q. And you've also seen the report</p> <p>4 before that we identified -- or, sorry, that we</p> <p>5 refer to as Trustee Exhibit 34?</p> <p>6 A. I've seen the report before, yes.</p> <p>7 Q. So returning to Trustee Exhibit</p> <p>8 35, halfway down the page do you see an</p> <p>9 indication of account number 1Z0009-1 in the</p> <p>10 name of Doris Zimmeth?</p> <p>11 A. Yes.</p> <p>12 Q. And do you see a listing of items</p> <p>13 including initial investment, capital additions,</p> <p>14 capital withdrawals and profits withdrawn?</p> <p>15 A. Yes.</p> <p>16 Q. Do you have an understanding of</p> <p>17 what those items meant?</p> <p>18 A. Yes.</p> <p>19 Q. And what's your understanding of</p> <p>20 what initial investment meant?</p> <p>21 A. That's the amount of money that</p> <p>22 the -- at that particular time, that's the</p> <p>23 amount of money that the customer had sent in.</p> <p>24 Q. And what is your understanding of</p> <p>25 what capital additions meant?</p>

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24 (Pages 90 to 93)

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<p>1 A. If the customer sent in additional 2 monies. 3 Q. And what is your understanding of 4 capital withdrawals? 5 A. If a customer requested money. 6 Q. And what's your understanding of 7 profit withdrawal? 8 A. The profit withdrawals was the 9 profit that was generated from the account. 10 Q. And do you see an amount listed 11 next to "profits withdrawn" on this Trustee 12 Exhibit 35? 13 A. Yes. 14 Q. And what is that number? 15 A. It's 922, \$922.08. 16 Q. And based on your experience at 17 BLMIS, would that amount have been sent to Doris 18 Zimmeth? 19 A. Yes. 20 Q. Okay, we're all done with that, 21 thank you. 22 I'd like you to review Trustee 23 Exhibit 36. Does this appear to be a customer 24 file for Aaron Blecker with account number 25 1B0156?</p>	<p>1 handwriting on here besides Ms. Crupi's? 2 A. No. No, not right off. 3 Q. There appears to be a set of 4 initials in the middle of the page on the 5 right-hand side. 6 A. Um-hum. 7 Q. Do you recognize any of those? 8 A. The JC stands for Jodi Crupi. The 9 EQ, the only person that worked in that 10 department during that time was Evelyn Guedes. 11 And AB is Annette Bongiorno. 12 Q. Do you recognize that handwriting 13 or are you just basing that on the letters that 14 are there? 15 A. On the letters that's there. 16 Q. Thank you. 17 I'd like you to take a look at 18 what's previously been marked as Trustee Exhibit 19 38. Let's do 38, 40 and 41 together. 20 Okay. I can direct your attention 21 to Trustee Exhibit 38. Does this appear to be a 22 customer statement for Aaron Blecker? 23 A. Yes. 24 Q. Account number 1-B0022? 25 A. Yes.</p>
Page 91	Page 93
<p>1 A. Yes. 2 Q. If you turn your attention to the 3 page ending in 8419, can you tell if this 4 account was a send account or a reinvest 5 account? 6 A. It looks as if it's a send 7 account. 8 Q. And how did you make that 9 determination? 10 A. Because they have an "S" here at 11 the bottom to indicate send. 12 Q. Ms. Jackson has indicated the 13 handwritten "S" in the bottom half of the page. 14 Do you recognize any of the 15 handwriting on this page? 16 A. This handwriting looks like Jodi 17 Crupi's handwriting. On line 1, Aaron Blecker, 18 and line 4, 50 Grist Mill Lane, that looks like 19 Jodi's handwriting. 20 Q. Does that suggest that this would 21 have been one of Jodi Crupi's accounts? 22 A. Not necessarily that it indicates 23 it was her account, but it looks like she wrote 24 up the paperwork. 25 Q. Do you recognize any other</p>	<p>1 Q. Does it appear to be dated June 2 30th, 1992? 3 A. Yes. 4 Q. And do you see a transaction on 5 June 16th for PW in the amount of \$2,627.74? 6 A. Yes. 7 Q. And was that identified as "check 8 Pep Boys"? 9 A. Yes. 10 Q. Thank you. 11 If you could now take a look at 12 what has previously been marked as Exhibit 40, a 13 report titled "Arbitrage Portfolio Transaction." 14 This is a report that you have seen before; is 15 that correct? 16 A. Yes. 17 Q. Can I direct your attention to the 18 middle of the page where there is a reference to 19 Aaron Blecker and account 1-B0022-1. 20 A. Yes. 21 Q. Do you see a transaction 22 identified there on June 16th, PW, in the amount 23 of \$2627.74? 24 A. Yes. 25 Q. Does that amount match the profit</p>

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25 (Pages 94 to 97)

<p style="text-align: right;">Page 94</p> <p>1 withdraw amount identified on the statement 2 marked as Trustee Exhibit 38? 3 A. Yes. 4 Q. And what do you understand profits 5 withdrawn to mean? 6 A. The profits that were generated 7 from the customer's account. 8 Q. So is it your understanding that 9 even though the statement says "check Pep Boys," 10 this amount would have been received by Aaron 11 Blecker? 12 A. Yes. 13 Q. Okay. Could I please direct you 14 to Exhibit 39, which is entitled "Arbitrage 15 Portfolio Management Report as of 12/31/92." Is 16 this the type of report that you are familiar 17 with from your time at BLMIS? 18 A. Yes, I've seen this report before, 19 yes. 20 Q. And on the top of the page is 21 there an identification that says account number 22 1B0022, and a reference to Aaron Blecker? 23 A. Yes. 24 Q. Is it your understanding that this 25 relates to the account that we've been</p>	<p style="text-align: right;">Page 96</p> <p>1 A. Zero. 2 Q. And how do you know that? 3 A. Because there is no indication of 4 monies there. 5 Q. And the next listing is for 6 profits withdrawn. What did you understand that 7 to be? 8 A. That would be the monies that were 9 withdrawn from the customer's account if they 10 were set up to be a send from the investment. 11 Q. And what is the amount in this 12 instance? 13 A. The capital withdrawals -- I mean, 14 the profit withdrawals is 16,858.40. 15 Q. Is it your understanding that 16 those would be profits that would be paid to 17 Aaron Blecker in connection with account 1B0022? 18 A. Yes. 19 Q. Is it your understanding that 20 those would be the profits for the period 21 covered by Trustee Exhibit 39? 22 A. Say it one more time, I'm sorry. 23 Q. Is it your understanding that 24 these would be the profits for the period 25 covered by this report found in Trustee Exhibit</p>
<p style="text-align: right;">Page 95</p> <p>1 discussing, 1B0022? 2 A. Yes. 3 Q. Do you see a list of items 4 beginning with initial investment? 5 A. Yes. 6 Q. What's your understanding initial 7 investment to be? 8 A. The amount of money that the 9 customer put into the account. 10 Q. So in this case that would be 11 \$104,014.84? 12 A. Yes. 13 Q. What's your understanding capital 14 additions to be? 15 A. Monies that were sent in by the 16 customer. 17 Q. And in this case what would that 18 be? 19 A. \$100,000. 20 Q. And what did you understand 21 capital withdrawals to be? 22 A. Money that was taken from the 23 account that the customer requested. 24 Q. And what would the amount be in 25 this case?</p>	<p style="text-align: right;">Page 97</p> <p>1 39? 2 A. Yes. 3 Q. Please review what has previously 4 been marked as Trustee Exhibit 42. Does this 5 appear to be a customer file for an account held 6 by Arthur and Sofie Blecker? 7 A. Yes. 8 Q. Account number 1B0023? Is that 9 what it appears to be? 10 A. Yes. 11 Q. Could I please direct your 12 attention to the page ending in 8423. 13 A. Um-hum. 14 Q. The title is "Name/Address File 15 Maintenance." Is this a type of form that is 16 familiar to you? 17 A. Yes. 18 Q. And can you tell if this account 19 was a send or a reinvest account? 20 A. Yes, it was a send. 21 Q. And how can you make that 22 determination? 23 A. Based on at the bottom where it 24 has the S's that indicate send. 25 Q. Ms. Jackson has indicated the</p>

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<p>1 three handwritten S's under profits, dividends 2 and interest next to the words "Type 1." 3 Did you have an understanding what 4 the types were, 1, 2, 3, 4, 5, 6? 5 A. Here? 6 Q. Yes. 7 A. No. I never knew -- I don't know 8 what that is. It was just numbers. 9 Q. To be clear, Ms. Jackson stated 10 that she did not know what the numbers 1, 2, 3, 11 4, 5, 6 next to the words "type" represented. 12 Do you recognize anyone's 13 handwriting on this? 14 A. Yes. 15 Q. Whose handwriting do you 16 recognize? 17 A. I recognize Annette Bongiorno's 18 handwriting where she's writing the, on line 1 19 the title "Arthur Blecker." That's Annette's 20 handwriting. 21 The second part with Sofie 22 Blecker, I don't know whose handwriting that is. 23 But the JP, WR OS, that's Annette's handwriting. 24 And the address is written in Annette's 25 handwriting. As well as where it says "short</p>	<p>1 Q. This appears to be a different 2 form than the form we reviewed in Trustee 3 Exhibit 42, correct? 4 A. Yes. 5 Q. Do you recall if there was a 6 change from one type of form to another? 7 A. I'm sorry? 8 Q. Do you recall there being a change 9 from one type of customer maintenance form to 10 another? 11 A. I don't recall a change. I mean, 12 but this could have been internally that the 13 computer staff dealt with. I didn't deal with 14 this. 15 Q. Okay. So you did not deal with 16 this kind of document? 17 A. I don't remember -- I've seen it 18 before, but I didn't deal with it. 19 Q. Okay. Let's skip to Trustee 20 Exhibit 46. 21 Does this appear to be a customer 22 file for CAB Trust, with account number 1C1001? 23 Does this appear to be a customer 24 account? 25 A. Yes, I'm sorry. Yes.</p>
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<p>1 name Blecker A & S" and the Social Security, 2 that's all Annette's handwriting. 3 Q. Okay. Do you recognize any other 4 handwriting on that page? 5 A. The only other handwriting I 6 recognize is at the bottom, the numbers 100215, 7 it looks like Jodi's handwriting. 8 Q. So those are the numbers 100215 9 handwritten at the bottom in the middle of the 10 page, and you've identified that as Ms. Crupi's 11 handwriting. 12 A. Yes. 13 Q. Thank you. We're all finished 14 with that exhibit. 15 If I could give you the exhibit 16 that's previously been marked as Exhibit 44. 17 Does this appear to be a customer 18 file for Aaron Blecker, account number 1B0156? 19 A. Yes. 20 Q. Can I please direct you to the 21 page ending in 4126. 22 A. Yes. 23 Q. Are you familiar with this form 24 titled "Customer Master File Maintenance"? 25 A. I've seen it before.</p>	<p>1 Q. If I could direct you to the page 2 ending in 6357, does this appear to be a send 3 account or a reinvest account? 4 A. It looks like it was send and then 5 it was reinvest and then as of -- and then -- it 6 made a lot of changes. So it ultimately ended 7 up as a send account. 8 Q. How can you tell that? 9 A. Because in the beginning it looked 10 like they marked send for dividends, for profit, 11 dividends and the interest, and then they marked 12 it out and then she put in as a reinvestment, 13 she marked that out as of 9/5/84 and then it 14 ended up as a send. 15 Q. When you say "she marked that 16 out," do you recognize that handwriting? 17 A. Yes. 18 Q. And whose handwriting is that? 19 A. This looks like Annette's 20 handwriting. 21 Q. Is there any other handwriting on 22 the page that you recognize? 23 A. Not right off, no. I recognize 24 Annette's handwriting on this. 25 Q. Okay. Did you ever hear of a</p>

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<p>1 computer system called the AS 400?</p> <p>2 A. Yes.</p> <p>3 Q. Do you have an understanding of</p> <p>4 what that was?</p> <p>5 A. No.</p> <p>6 Q. You yourself did not work on the</p> <p>7 AS 400?</p> <p>8 A. No.</p> <p>9 Q. Do you know who did work on the</p> <p>10 AS 400?</p> <p>11 A. I'm not 100 percent sure who all</p> <p>12 worked on that.</p> <p>13 Q. Okay.</p> <p>14 MS. VANDERWAL: If we could just</p> <p>15 take a two-minute break, we're getting close. I</p> <p>16 just want to make sure I've asked all my</p> <p>17 questions. Off the record, please.</p> <p>18 THE VIDEOGRAPHER: The time is</p> <p>19 12:43 p.m. Off the record.</p> <p>20 (Recess taken.)</p> <p>21 THE VIDEOGRAPHER: The time is</p> <p>22 12:48 p.m., back on the record.</p> <p>23 BY MS. VANDERWAL:</p> <p>24 Q. Ms. Jackson, I just have a couple</p> <p>25 final questions.</p>	<p>1 give the C&S listing to Ms. Mui and Ms. Kahn in</p> <p>2 a similar manner?</p> <p>3 A. Yes.</p> <p>4 Q. Were you aware of any system that</p> <p>5 was used before the C&S system to log checks?</p> <p>6 A. You mean to log checks as far as</p> <p>7 going in or coming out?</p> <p>8 Q. Going out.</p> <p>9 A. I honestly don't remember. I</p> <p>10 honestly don't remember.</p> <p>11 Q. Okay.</p> <p>12 MS. VANDERWAL: Those are all my</p> <p>13 questions.</p> <p>14 THE WITNESS: Okay.</p> <p>15 MS. CHAITMAN: I'm going to try to</p> <p>16 get you out of here by 2 o'clock.</p> <p>17 THE WITNESS: Thank you.</p> <p>18</p> <p>19 EXAMINATION BY MS. CHAITMAN:</p> <p>20 Q. Is it fair to say you were shocked</p> <p>21 when you realized that crimes were being</p> <p>22 committed in the time that you were working for</p> <p>23 Madoff?</p> <p>24 A. Very fair, yes.</p> <p>25 Q. So you learned that Madoff was a</p>
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<p>1 You mentioned that you had seen</p> <p>2 trade confirmations?</p> <p>3 A. Yes.</p> <p>4 Q. What did you do with those trade</p> <p>5 confirmations?</p> <p>6 A. Once they were generated, we would</p> <p>7 mail them out to the customers.</p> <p>8 Q. And who generated them?</p> <p>9 A. The computer room. They were</p> <p>10 written up by Annette, Frank or Jodi and</p> <p>11 generated through the computer room. And</p> <p>12 then --</p> <p>13 Q. Can you -- and you would receive a</p> <p>14 printout?</p> <p>15 A. Yes.</p> <p>16 Q. And you would send that printout</p> <p>17 to the appropriate customer?</p> <p>18 A. It would go to the customer.</p> <p>19 Q. Okay. And I believe you testified</p> <p>20 that at the end of each day you would give your</p> <p>21 checkbook to Ms. Mui and Ms. Kahn to enter the</p> <p>22 checks that came in, to log the checks that came</p> <p>23 in into the computer system. Is that correct?</p> <p>24 A. Yes.</p> <p>25 Q. To your knowledge, did Ms. Crupi</p>	<p>1 criminal, right? Jodi Crupi was a criminal?</p> <p>2 A. Yes.</p> <p>3 Q. Frank DiPascali was a criminal?</p> <p>4 You have to answer.</p> <p>5 A. Yes. I'm sorry.</p> <p>6 Q. Annette Bongiorno?</p> <p>7 A. Yes.</p> <p>8 Q. And these were the people from</p> <p>9 whom you had taken direction?</p> <p>10 A. Yes.</p> <p>11 Q. During the time you worked at</p> <p>12 Madoff, right?</p> <p>13 A. Yes.</p> <p>14 Q. And isn't it true that you learned</p> <p>15 that they had been dishonest with Madoff's</p> <p>16 customers?</p> <p>17 A. I'm not gonna say -- the way I saw</p> <p>18 it was that I did a job. I don't know -- I</p> <p>19 can't sit here and say, okay -- ultimately it</p> <p>20 was dishonesty. Ultimately, yes, it was</p> <p>21 dishonesty.</p> <p>22 Q. And they were dishonest with you,</p> <p>23 weren't they?</p> <p>24 A. About the setup of the job, yes.</p> <p>25 Q. Well, you thought that they were</p>

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<p>1 actually buying securities for the customers, 2 right? 3 A. Yes. 4 Q. And you thought you were providing 5 information to allow them to buy the securities 6 for the customers, right? 7 A. Yes. 8 Q. And instead what they were doing 9 was asking you to give them information which 10 they could use to fabricate false transactions; 11 isn't that right? 12 A. That's true, yes. 13 Q. Okay. And we've gone through a 14 whole bunch of documents; for example, if you 15 just look at Trustee Exhibit 46. And go to page 16 86357. It's the page you had looked at before. 17 A. Yes. 18 Q. Now, this was a document prepared 19 by the people who were all convicted of fraud, 20 right? 21 A. Yes. 22 Q. So, do you have any reason to 23 trust anything on this statement? 24 A. Well, technically this statement 25 is just setting up an account, it's just giving</p>	<p>1 right? 2 A. Yes. 3 Q. And that would be the only 4 reliable information in Madoff's files; isn't 5 that true? 6 A. If the customer sent the 7 information, yes. 8 Q. Right. Because if Annette, 9 without a letter from the customer, decided that 10 the checks should be sent, she could have 11 finagled it so that the checks would have been 12 sent to her; isn't that true? 13 A. Well, there's so many different 14 accounts, there were so many different accounts 15 and so many different addresses, I don't think 16 that Annette would have time to sit here and 17 have -- be able to negotiate a hundred or a 18 thousand account addresses, different addresses 19 to have checks sent to them. 20 Do you understand what I'm saying? 21 She wouldn't -- I don't see her having that kind 22 of time. And not only that, there were times 23 when customers did call in that we may have 24 spoken -- that I personally may have spoken to 25 and them calling in to say, you know, I need to</p>
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<p>1 the customer name and information. So, yes, I 2 would trust the information on the paper, 3 because it's just identifying a person who's 4 supposed to be a customer, and what their 5 requests are based on, for their account. 6 Q. Well, how do you know whether Jodi 7 or Annette wrote down "send" but actually they 8 set up a system where those checks would be sent 9 to them? 10 A. Because the checks were sent to 11 the customers' address on file. 12 Q. How do you know -- did you -- are 13 you able to say under oath, with respect to this 14 account, that the checks actually were sent to 15 the customer and received by the customer? 16 A. Based on this account, and letters 17 that was received into the customers' account 18 that would have been in the maintenance file, 19 that information would have come from the 20 customer. 21 Q. Okay. So what you're saying is, 22 the only way to know whether the customer 23 requested that profits be sent to the customer 24 is if you had a letter in writing from the 25 customer saying, please send me my profits,</p>	<p>1 speak to Annette regarding sending me a check or 2 whatever the case may be. 3 Or I received the letters, a lot 4 of the letters that came in. Because a lot of 5 the mail that came in I would receive it and go 6 through it and give the correspondence to 7 whoever it went to, to Annette, Jodi or, you 8 know, when it came to our department. 9 Q. So you would have to get a letter 10 from the client, from the customer, to 11 understand whether the customer was requesting a 12 profit withdrawal; isn't that true? 13 A. Either a letter or a fax, yes. 14 Q. A letter, something in writing? 15 A. Something in writing. 16 Q. Whether it's mailed or it's faxed, 17 it's still a letter from the customer, right? 18 A. Yes. 19 Q. And those had to be put in the 20 files; isn't that true? 21 A. Yes. 22 Q. It had to be part of the record? 23 A. Yes. 24 Q. Okay. 25 Now, when you say that the checks</p>

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<p>1 were mailed to the customers, did you 2 actually -- let's take, for example, with Blum, 3 did you actually pick up the phone and call 4 Mr. Blum every month and say, I just want to 5 confirm that you got the profit withdrawal 6 check? 7 A. No. 8 Q. Did anyone in the office do that? 9 A. No. 10 Q. So -- and did you actually address 11 the envelopes and put the stamp on it and put it 12 in the mail? 13 A. We would run them through our 14 stamp machines, yes. 15 Q. And then who would put it in the 16 mail? 17 A. We had a staff of people that 18 would take them down to the mailroom. 19 Q. And if Mr. Madoff called up and 20 said, don't send that letter to Blum, bring it 21 up to me, would someone bring it up to 22 Mr. Madoff? 23 A. There have been times when checks 24 did go to him or to -- if a customer was coming 25 into the office to pick up a check, there were</p>	<p>1 Q. You're not contending that Arthur 2 Blecker wrote any of this information on this 3 page, are you? 4 A. No. Annette wrote this. 5 Q. Okay. And again, if Bernie Madoff 6 called you up and said when the checks are 7 supposed to go out, Arthur Blecker is coming up 8 to my office today, bring the check to me, you 9 would have brought it to him, right? 10 A. Yes. 11 Q. And you never would have 12 questioned him, right? 13 A. No. 14 Q. And the same thing would be true 15 for Frank, right? 16 A. Yes. 17 Q. Or for Jodi? 18 A. Yes. 19 Q. Or for Annette? 20 A. Yes. 21 Q. And they've all been convicted of 22 securities fraud, right? 23 A. Yes. 24 Q. So again, I come back to the same 25 question, isn't it true that the only reliable</p>
Page 111	Page 113
<p>1 times when customers did actually request that 2 they come -- if they had a meeting with Bernie 3 and Bernie would say, well, I'm meeting with 4 Mr. Blum today, bring the check upstairs to me. 5 Q. Okay. But would you then call 6 Mr. Blum to verify that he had called Bernie and 7 said he's coming in? 8 A. No. 9 Q. You would take Bernie Madoff's 10 word for it, right? 11 A. Yes. 12 Q. Now, do you really think Bernie 13 Madoff's word is worth a lot today? 14 A. Today, no. 15 Q. So if Bernie Madoff called you up 16 and said, bring Mr. Blum's check to my office, 17 he's coming in, you would do it because you 18 trusted him; isn't that true? 19 A. Yes. 20 Q. And you have no idea whether that 21 check actually went to Mr. Blum, do you? 22 A. No. 23 Q. Now, looking at Exhibit 42, which 24 it's page 8423. 25 A. Yes.</p>	<p>1 evidence of what the customers wanted would be a 2 letter in the file, whether it was mailed or 3 faxed, it would be a letter in the file from the 4 customer, right? 5 A. Yes. 6 Q. Saying, I want my profit 7 withdrawals or now I don't want them, right? 8 A. Yes. 9 Q. And, in fact, even Mr. Madoff 10 would tell you that any request had to be in 11 writing from a customer seeking a check; isn't 12 that true? 13 A. Yes. 14 Q. It doesn't surprise you that a 15 securities firm would have that rule; isn't that 16 true? 17 A. Yes. 18 Q. That's what you would expect? 19 A. I would expect that, yes. 20 Q. The customer's request has to be 21 in writing? 22 A. Yes. 23 Q. Because you don't know if someone 24 calls on the phone who you're speaking to, 25 right?</p>

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<p>1 A. That's true.</p> <p>2 Q. Did anyone ever tell you to go</p> <p>3 through the account forms and verify that</p> <p>4 whenever it said "send" there was a letter from</p> <p>5 the client requesting send?</p> <p>6 A. No.</p> <p>7 Q. So you never checked that?</p> <p>8 A. I never had to check that, no.</p> <p>9 Q. You just assumed that it was</p> <p>10 accurate?</p> <p>11 A. Yes.</p> <p>12 Q. But you wouldn't do that knowing</p> <p>13 what you know today, would you?</p> <p>14 A. No.</p> <p>15 Q. Now, there were some questions</p> <p>16 about checks to Norman Levy, and you seemed from</p> <p>17 your answers to know who Norman Levy was; is</p> <p>18 that fair?</p> <p>19 A. Yes.</p> <p>20 Q. Who was Norman Levy?</p> <p>21 A. Norman Levy was one of our</p> <p>22 customers.</p> <p>23 Q. And did you know him personally?</p> <p>24 A. Yes, I did.</p> <p>25 Q. How did you know him?</p>	<p>1 A. Either she or Dan Bonaventure.</p> <p>2 Q. But did she stop doing it say in</p> <p>3 2000 and Dan took it over or they would --</p> <p>4 A. It would be, sometimes Ruth would</p> <p>5 do it, sometimes Dan would do it. I can't</p> <p>6 really say at 2000 she stopped doing it, because</p> <p>7 periodically she would call me up and ask me for</p> <p>8 certain things and then Dan would call me and</p> <p>9 ask for the checkbook. So to my recollection</p> <p>10 they both did it.</p> <p>11 Q. Up until the end?</p> <p>12 A. Until the end. I don't remember</p> <p>13 changing, you know, people.</p> <p>14 Q. Now when you say that they would</p> <p>15 reconcile the checks, what did they ask for from</p> <p>16 you, what documents?</p> <p>17 A. They would ask me for the check</p> <p>18 ledgers that was generated on a day-by-day</p> <p>19 basis, and I would give them the actual copies</p> <p>20 of the actual checks that we had sent out to the</p> <p>21 customer because it was in three-part paper, and</p> <p>22 we would keep all of that together based on the</p> <p>23 whole month and I would give them for each</p> <p>24 individual month.</p> <p>25 Q. And so they would check to see if</p>
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<p>1 A. He would come into the office and</p> <p>2 I've had the privilege of meeting him.</p> <p>3 Q. And you liked him?</p> <p>4 A. Yes.</p> <p>5 Q. And did you know that he was</p> <p>6 involved in Madoff's fraud?</p> <p>7 A. No.</p> <p>8 Q. To this day you didn't realize</p> <p>9 that?</p> <p>10 MS. VANDERWAL: Objection. We're</p> <p>11 going outside the scope of the protective order.</p> <p>12 MS. CHAITMAN: Well, you raised</p> <p>13 it, so I was just following up on your question.</p> <p>14 BY MS. CHAITMAN:</p> <p>15 Q. Now, you say that Ruth Madoff and</p> <p>16 Daniel Bonaventure would do a reconciliation of</p> <p>17 the checks to the bank statements?</p> <p>18 A. Yes.</p> <p>19 Q. Now, did Ruth Madoff do that the</p> <p>20 entire time that you worked there?</p> <p>21 A. Either she or Dan Bonaventure.</p> <p>22 Q. And how -- just to the best of</p> <p>23 your recollection, from the time you worked</p> <p>24 there until 2000, the end of 2008, was Ruth</p> <p>25 doing that on a regular basis?</p>	<p>1 the check was deposited by the customer?</p> <p>2 A. Yes.</p> <p>3 Q. And you wouldn't do that?</p> <p>4 A. No.</p> <p>5 Q. So you never, for example, took a</p> <p>6 check to Arthur Blecker and looked at the back</p> <p>7 of the check to see where it was deposited?</p> <p>8 A. No.</p> <p>9 Q. That was Ruth's job?</p> <p>10 A. That would be their job.</p> <p>11 Q. Ruth or Daniel Bonaventure would</p> <p>12 have done that?</p> <p>13 A. Yes.</p> <p>14 Q. And would anyone else in the</p> <p>15 office do that?</p> <p>16 A. Not to my knowledge, no.</p> <p>17 Q. Did you ever physically observe</p> <p>18 Ruth or Daniel Bonaventure doing that?</p> <p>19 A. Going through the check ledgers?</p> <p>20 Q. Yes.</p> <p>21 A. Yes.</p> <p>22 Q. And what would they do, physically</p> <p>23 what would they do?</p> <p>24 A. Based on the bank statement, they</p> <p>25 would physically go through and check to see if</p>

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<p>1 the check numbers or the checks were cashed or 2 deposited into the accounts, or to see that the 3 money actually came out of our account. 4 So they would reconcile the bank 5 statement to our statements to see if money was 6 actually deposited. 7 Q. Okay. And were there times when 8 they would tell you that the money hadn't been 9 deposited? 10 A. There had been times whenever they 11 would say this check wasn't deposited, yes. 12 Q. And then what would happen? 13 A. They would just notify us, just 14 let us know, the back office, if a particular 15 check wasn't cashed. Or they would question and 16 ask if the check was mailed or where did it go, 17 or did the customer call and ask if they 18 received it. 19 So they would reconcile with us 20 based on our records to their records. From the 21 bank statement. 22 Q. Okay. And then what would 23 happen -- what would you do in the office if a 24 check had not been cashed? 25 A. I wouldn't do anything. I mean, I</p>	<p>1 A. I don't remember the names right 2 offhand. 3 Q. Was it at this office? 4 A. No. 5 Q. Where was it? 6 A. It was downtown Federal Plaza. 7 Somewhere downtown. I don't recall it being in 8 this office. It was downtown. 9 Q. And do you recall the area of 10 questions that you had given? 11 A. I blocked all of that out. I 12 really don't remember all -- I mean, they just 13 asked me about my job, I think, but not -- I 14 don't recall all the questions that they asked. 15 Q. And then you testified at the 16 criminal trial? 17 A. Yes. 18 Q. Of Jodi Crupi and the others, 19 right? 20 A. Yes. 21 Q. And how long were you on the 22 witness stand, approximately? Do you remember? 23 A. I honestly don't remember. I 24 blocked all of that out. 25 Q. I can understand that.</p>
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<p>1 would notify Jodi or Frank and let them know if 2 there was any concern or if there was a question 3 on a check, I would let them know. It would be 4 up to them what they did. 5 Q. So you didn't have any follow-up? 6 A. No, I wouldn't personally follow 7 it up. 8 Q. Okay. Just to be clear, is it 9 fair to say that you never, when the bank 10 statements came in at the end of the month, you 11 never compared the front of the check to the 12 back of the check to see that it was deposited 13 in the account of the customer? 14 A. No, I wouldn't do that. 15 Q. Now, you testified initially that 16 you had testified twice. You testified at a 17 deposition, right? 18 A. Yes. 19 Q. And that was in early 2009? 20 A. Yes. 21 Q. And that was taken by the Trustee? 22 A. I think that was the Trustee's, 23 yes. 24 Q. And do you recall who took the 25 deposition?</p>	<p>1 Have you been in contact with any 2 people that you worked with over the years at 3 Madoff? 4 A. I speak to some of my co-workers, 5 former co-workers. Periodically. Not too 6 often, though. 7 Q. Which ones have you spoken to? 8 A. I speak with Charlene White. 9 Alethea and I correspond through Facebook. I 10 haven't spoken to Dorothy in years. Sharda and 11 I correspond through Facebook. 12 Who else? Amy corresponds with me 13 periodically through Facebook, Amy Joel. Nobody 14 like on a regular basis, though. Just 15 periodically. 16 Q. Did you personally meet any of 17 Madoff's customers? 18 A. I've met a few of them. 19 Q. Do you remember which ones? 20 A. Not to call the names right now, 21 no. But I have met a few of the customers 22 before. 23 Q. When they happened to come in to 24 see Bernie? 25 A. When they've come to the office to</p>

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<p>1 see Bernie or, yeah. When they've come into the 2 office periodically I've met some of them. 3 Q. Now, you looked at some documents 4 that Ms. Vanderwal showed you which were 5 arbitrage accounts and you said that you didn't 6 handle those, that Jo Ann Sala handled those? 7 A. I think those were Jo Ann Sala's, 8 yeah, I believe those were Jo Ann Sala's 9 accounts, but I didn't really work with the 10 arbitrage accounts. 11 Q. Okay. So is it favor to say you 12 don't really know how they worked? 13 A. I don't know how they worked, but 14 I've seen the reports before but I don't know 15 how they were set up. 16 Q. And the reports that you're 17 referring to are the, like the -- let me just 18 pull one up. If you look at Exhibit 39. 19 A. Yes. 20 Q. That's called an Arbitrage 21 Portfolio Management Report, right? 22 A. Yes. 23 Q. And that's an internal report, 24 right? 25 A. Yes.</p>	<p>1 these accounts? 2 A. They were based on the interest 3 that was earned on the account, on the initial 4 investment, the understanding that I got. 5 Q. Did you understand that the 6 securities that were listed on the accounts 7 entitled the holder of the securities to 8 additional shares of stock? 9 A. State it one more time. Say it 10 again. 11 Q. Did you understand that the 12 securities -- these were called convertible 13 debentures, right? Do you remember that? 14 A. I don't remember hearing that 15 terminology. 16 Q. Take a look at Trustee Exhibit 41, 17 if you would. 18 A. Okay. 19 Q. Do you see that? So do you see, 20 if you look at the line, it's the second -- 21 well, if you take the first line it's Liberty 22 National Bancorp, and then it says "sub deb 23 convertible." 24 A. Um-hum. 25 Q. Do you understand that that's a</p>
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<p>1 Q. That's not sent to the customer? 2 A. No. 3 Q. So, in other words, if we just 4 look at Trustee 39 where it says Arthur Blecker 5 and it says profits withdrawn 64,023, he doesn't 6 get a copy of that, right? 7 A. No. 8 Q. So if, in theory, Bernie Madoff 9 just stole that money, you'd have no way of 10 knowing that, isn't that true? 11 A. No, I wouldn't have no way of 12 knowing that. 13 Q. And isn't it possible, knowing 14 what you know now, that Madoff could have said 15 to Jodi, listen Jodi, you know, as an extra 16 bonus you can take the profit withdrawals from 17 Arthur Blecker's account? 18 MS. VANDERWAL: Objection. 19 A. I can't answer that. I don't 20 know. 21 Q. It's not impossible, is it? 22 MS. VANDERWAL: Objection. 23 A. I can't answer that. 24 Q. Did you have any understanding of 25 the way in which the profits were generated on</p>	<p>1 subordinated debenture that's convertible into 2 stock? 3 A. Okay. Because I didn't deal with 4 the arbitrage accounts, I didn't know -- I don't 5 know that setup. 6 Q. Okay. 7 A. And I didn't deal with setting up 8 the trades. So I wouldn't know that information 9 like that. 10 Q. Okay. So you're not aware of the 11 fact that if you look further down, you see 12 where it says "Thermo Electron Corp." and then 13 underneath it it says "fractional shares"? 14 A. Yes. 15 Q. Are you aware that the holder of 16 the subordinated debenture would be entitled to 17 fractional shares? 18 A. Once again, because I didn't deal 19 with the arbitrage accounts, I'm not really 20 familiar. And because I didn't set up the 21 trading, I'm not familiar with the actual 22 trading process. 23 Q. Okay. And do you know for how 24 long this kind of arbitrage trading was handled 25 by Madoff?</p>

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<p>1 A. I don't know.</p> <p>2 Q. Okay. So the term has been used</p> <p>3 "split-strike conversion strategy." Is that</p> <p>4 what you did?</p> <p>5 A. I've heard of it before. I didn't</p> <p>6 set up trading, so I don't know --</p> <p>7 Q. Okay.</p> <p>8 A. -- how it was operated.</p> <p>9 Q. So when you were providing</p> <p>10 information to Jodi or, excuse me, to Annette as</p> <p>11 to share prices and stuff, what trading strategy</p> <p>12 did you think you were doing that for?</p> <p>13 A. To be honest, only thing I did was</p> <p>14 give them the information that they have</p> <p>15 requested. I never really questioned them on</p> <p>16 the trading strategy itself.</p> <p>17 Q. Okay. Did you have an</p> <p>18 understanding when you were sending out profit</p> <p>19 withdrawals what the profits were on?</p> <p>20 A. The profits were generated on the</p> <p>21 interest that was earned on the account. That</p> <p>22 was the understanding that I got.</p> <p>23 Q. So it wasn't a profit from the</p> <p>24 sale of securities; it was interest that was</p> <p>25 paid?</p>	<p>1 A. We would check it out.</p> <p>2 Q. And that happened, didn't it?</p> <p>3 A. I mean, it happens anywhere you</p> <p>4 work.</p> <p>5 Q. Sure. Sure.</p> <p>6 Was there any procedure if a</p> <p>7 customer called up and said, look, I think</p> <p>8 there's a mistake in my statement, first of all,</p> <p>9 would that call come to you?</p> <p>10 A. When you say error in the</p> <p>11 statement, what do you mean? What are you</p> <p>12 referring to?</p> <p>13 Q. Just any kind of error. Would</p> <p>14 they normally call you or would they call</p> <p>15 someone else, to your knowledge?</p> <p>16 A. No. I mean, if they called into</p> <p>17 my area and they asked to speak to Annette, if</p> <p>18 she wasn't there, either -- any of us could have</p> <p>19 taken the phone call, but then we would pass the</p> <p>20 information or pass the call to an account</p> <p>21 representative, to Frank, Jodi or Annette,</p> <p>22 whoever was available.</p> <p>23 Q. Or Madoff?</p> <p>24 A. Well, very rarely I would pass a</p> <p>25 call to him like that. It would usually be to</p>
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<p>1 A. Interest on the sale of securities</p> <p>2 of a stock, yes. The sale and the interest.</p> <p>3 Q. So it could have been either one?</p> <p>4 A. Either one, yes.</p> <p>5 Q. Okay. Just give me a minute. I</p> <p>6 promise I'll get you out by 2 o'clock.</p> <p>7 In working at Madoff, did you ever</p> <p>8 find mistakes in any of the records?</p> <p>9 A. In what records? What do you</p> <p>10 mean, on the account statements?</p> <p>11 Q. In either the account statements</p> <p>12 or in, you know, like these documents that we</p> <p>13 looked at which Jodi or Annette would fill out?</p> <p>14 A. I never reviewed them in that</p> <p>15 aspect to look for errors. I mean, if a</p> <p>16 customer sent in a change of address, you know,</p> <p>17 we tried to be as accurate as possible. Errors</p> <p>18 are always made. I can't say, you know, but I</p> <p>19 didn't go looking. But if it should have been</p> <p>20 50 as opposed to 505 Bleeker Street, errors are</p> <p>21 made. So if we found that error, we would</p> <p>22 correct it immediately.</p> <p>23 Q. Okay. So is it fair to say that</p> <p>24 if a customer called up and said there's an</p> <p>25 error in my statement, you would check it out?</p>	<p>1 one of the account representatives.</p> <p>2 Q. So Frank, Jodi or Annette?</p> <p>3 A. Yeah.</p> <p>4 Q. And then they would handle it?</p> <p>5 A. And then we would let them handle</p> <p>6 it.</p> <p>7 MS. CHAITMAN: Okay. I have no</p> <p>8 further questions. Thank you very much.</p> <p>9 MS. VANDERWAL: I have a couple of</p> <p>10 follow-up questions for you.</p> <p>11</p> <p>12 CONTINUED EXAMINATION BY MS. VANDERWAL:</p> <p>13 Q. You testified that when an account</p> <p>14 was set up, the account holder, possibly</p> <p>15 together with the account manager, would</p> <p>16 determine whether that account was a send</p> <p>17 account or a reinvest account. Is that</p> <p>18 accurate?</p> <p>19 A. Yes.</p> <p>20 Q. And was a letter necessary to set</p> <p>21 up an account as a send account or a reinvest</p> <p>22 account?</p> <p>23 A. If I'm not mistaken, yes, it had</p> <p>24 to be somewhere in writing or -- yes, it had to</p> <p>25 be in writing how they wanted the account to be</p>

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<p>1 set up.</p> <p>2 Q. And how they wanted the account</p> <p>3 set up includes whether it was a send or a</p> <p>4 reinvest account?</p> <p>5 A. Yes.</p> <p>6 Q. Would you say that you were</p> <p>7 involved in sending a large number of checks?</p> <p>8 A. I sent out checks on a daily</p> <p>9 basis, yes.</p> <p>10 Q. On how many occasions did Bernard</p> <p>11 Madoff ask you to bring up a check?</p> <p>12 A. Not that often.</p> <p>13 Q. Can you be more specific?</p> <p>14 A. He wouldn't request us to send up</p> <p>15 checks like on a weekly basis. You know, it may</p> <p>16 be periodically, you know, maybe every couple</p> <p>17 months he would ask us, if he was meeting with a</p> <p>18 client or if he was meeting with somebody and</p> <p>19 they were coming into the office or he was</p> <p>20 meeting with them, that he would say, you know,</p> <p>21 they're coming, you can bring your checks to me,</p> <p>22 whatever, and I'll give it to them when they</p> <p>23 come. But not that often.</p> <p>24 Q. And all the checks that were</p> <p>25 generated for customers were printed in the</p>	<p>1 account would have been receiving checks?</p> <p>2 A. Yes.</p> <p>3 Q. Did customers call you often?</p> <p>4 A. If they were familiar with me, as</p> <p>5 far as dealing with -- speaking with Annette, if</p> <p>6 they were familiar with me and they knew she was</p> <p>7 out of town, then sometimes they would call for</p> <p>8 me and ask for me.</p> <p>9 Q. Did a customer ever call you</p> <p>10 because they hadn't received a check?</p> <p>11 A. One more time.</p> <p>12 Q. Has a customer ever called you</p> <p>13 because they had not received a check?</p> <p>14 A. That has happened.</p> <p>15 Q. And you would advise the</p> <p>16 appropriate account manager in that case?</p> <p>17 A. Yes.</p> <p>18 Q. When you gave Dan Bonaventure and</p> <p>19 Ruth Madoff the month-end ledgers, did they</p> <p>20 return it to you?</p> <p>21 A. Yes.</p> <p>22 Q. And when Dan Bonaventure and Ruth</p> <p>23 were reconciling, did they call you with</p> <p>24 specific questions?</p> <p>25 A. Yes.</p>
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<p>1 computer room; is that correct?</p> <p>2 A. All the checks that were</p> <p>3 generated -- all checks as far as -- as far as</p> <p>4 my recollection is concerned, yes, were</p> <p>5 generated through the computer room.</p> <p>6 Q. So if a check was prepared</p> <p>7 according to one of the lists that the computer</p> <p>8 operators were given, that check would be made</p> <p>9 out in the customer's name; is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. It would not be made out, for</p> <p>12 example, in the name of Annette Bongiorno?</p> <p>13 A. No.</p> <p>14 Q. Did you see in your time at BLMIS</p> <p>15 letters asking -- letters from customers asking</p> <p>16 them to switch their account from a send account</p> <p>17 to a reinvest account?</p> <p>18 A. Those letters would generally go</p> <p>19 to Frank or to Jodi. Periodically I would get</p> <p>20 one that I would give to Annette. But it was --</p> <p>21 I would see them every now and then, not on a</p> <p>22 regular basis.</p> <p>23 Q. Okay. So if an account was</p> <p>24 switching from a send account to a reinvest</p> <p>25 account, up until the point of the switch that</p>	<p>1 Q. And you attempted to answer those</p> <p>2 questions?</p> <p>3 A. If I could, yes.</p> <p>4 Q. You referred to a deposition with</p> <p>5 the Trustee in 2009.</p> <p>6 A. Yes, I think it was 2009.</p> <p>7 Q. Was there a videographer present?</p> <p>8 A. I don't recall. I don't recall a</p> <p>9 videographer being there.</p> <p>10 Q. Do you recall if it was with</p> <p>11 representatives of the Trustee and any other</p> <p>12 representative?</p> <p>13 A. I don't recall who was there, to</p> <p>14 be honest. I blocked a lot of that out. I</p> <p>15 don't recall.</p> <p>16 MS. VANDERWAL: Okay. I have</p> <p>17 nothing further.</p> <p>18 MS. CHAITMAN: Thank you so much.</p> <p>19 THE WITNESS: You're welcome.</p> <p>20 THE VIDEOGRAPHER: The time is</p> <p>21 1:22 p.m. We're going off the record.</p> <p>22 (Deposition concluded.)</p> <p>23 -o0o-</p> <p>24</p> <p>25</p>

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<p>1 ERRATA SHEET</p> <p>2</p> <p>3 WITNESS NAME: WINIFER JACKSON</p> <p>4</p> <table><thead><tr><th>PAGE/LINE</th><th>CHANGE</th><th>REASON</th></tr></thead><tbody><tr><td>5</td><td></td><td></td></tr><tr><td>6</td><td></td><td></td></tr><tr><td>7</td><td></td><td></td></tr><tr><td>8</td><td></td><td></td></tr><tr><td>9</td><td></td><td></td></tr><tr><td>10</td><td></td><td></td></tr><tr><td>11</td><td></td><td></td></tr><tr><td>12</td><td></td><td></td></tr><tr><td>13</td><td></td><td></td></tr><tr><td>14</td><td></td><td></td></tr><tr><td>15</td><td></td><td></td></tr><tr><td>16</td><td></td><td></td></tr><tr><td>17</td><td></td><td></td></tr><tr><td>18</td><td></td><td></td></tr><tr><td>19</td><td></td><td></td></tr><tr><td>20</td><td></td><td></td></tr><tr><td>21</td><td></td><td></td></tr><tr><td>22</td><td></td><td></td></tr><tr><td>23</td><td></td><td></td></tr><tr><td>24</td><td></td><td></td></tr><tr><td>25</td><td></td><td></td></tr></tbody></table>	PAGE/LINE	CHANGE	REASON	5			6			7			8			9			10			11			12			13			14			15			16			17			18			19			20			21			22			23			24			25			<p>1 REPORTER'S CERTIFICATION</p> <p>2</p> <p>3 I, NANCY C. BENDISH, Certified</p> <p>4 Court Reporter and Notary Public of the States</p> <p>5 of New York and New Jersey, do hereby certify</p> <p>6 that, prior to the commencement of the</p> <p>7 aforementioned examination, WINIFER JACKSON was</p> <p>8 sworn by me to testify the truth, the whole</p> <p>9 truth and nothing but the truth.</p> <p>10 I DO FURTHER CERTIFY that the</p> <p>11 foregoing is a true and accurate transcript of</p> <p>12 the testimony as taken stenographically by and</p> <p>13 before me at the time, place, and on the date</p> <p>14 hereinbefore set forth.</p> <p>15 I DO FURTHER CERTIFY that I am</p> <p>16 neither a relative nor employee nor attorney nor</p> <p>17 counsel of any party in this action and that I</p> <p>18 am neither a relative nor employee of such</p> <p>19 attorney or counsel, and that I am not</p> <p>20 financially interested in the event nor outcome</p> <p>21 of this action.</p> <p>22</p> <p>23 NANCY C. BENDISH, CCR, RMR, CRR, CLR</p> <p>24 Realtime Systems Administrator</p> <p>25 Certificate No. XI00836</p> <p>Dated: May 24, 2016</p>
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<p>Page 135</p> <p>1 JURAT</p> <p>2 I, WINIFER JACKSON, have read the</p> <p>3 foregoing deposition and hereby affix my</p> <p>4 signature that same is true and correct, except</p> <p>5 as noted above.</p> <p>6</p> <p>7 WINIFER JACKSON</p> <p>8</p> <p>9 THE STATE OF _____</p> <p>10</p> <p>11 COUNTY OF _____</p> <p>12</p> <p>13 Before me, _____, on this</p> <p>14 day personally appeared _____,</p> <p>15 known to me (or proved to me on the oath of or</p> <p>16 through _____ (description of identity</p> <p>17 card or other document) to be the person whose</p> <p>18 name is subscribed to the foregoing instrument</p> <p>19 and acknowledged to me that he/she executed the</p> <p>20 same for the purpose and consideration therein</p> <p>21 expressed.</p> <p>22 Given under my hand and seal of office on</p> <p>23 this _____ day of _____, _____.</p> <p>24</p> <p>25 NOTARY PUBLIC IN AND FOR</p> <p>THE STATE OF _____</p> <p>My Commission Expires: _____.</p>																																																																			

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